



# भारत का राजपत्र

## The Gazette of India

प्राधिकार से अकाशित  
PUBLISHED BY AUTHORITY

सं. 14]

नई दिल्ली, शनिवार, प्रश्न 6, 1974/चैत्र 16, 1896

No. 14]

NEW DELHI, SATURDAY, APRIL 6, 1974/CHAITRA 16, 1896

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)  
केन्द्रीय प्राधिकारियों द्वारा जारी किये गये सांघिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence) by Central Authorities  
(other than the Administration of Union Territories)

मंत्रिमण्डल संचिवालय  
(कानूनी और प्रशासनिक सुधार विभाग)

नई दिल्ली, 27 मार्च, 1974

का० आ० 863.—दण्ड प्रक्रिया संहिता, 1898 (1898 का 5) की धारा 492 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एसद्वयारा श्री बी० पी० रमण, अधिवक्ता मद्रास को प्रथम अतिरिक्त सत्र न्यायाधीश, मद्रास के न्यायालय में सुकुदमा नं० आर० सी० 1/ई०/70-मद्रास बनाम श्री जे० के० नटराजन वर्गेन्ह के संबंध में बहस करते हेतु लोक अभियोजक नियुक्त करती है।

[सं० 225/8/74-ए०बी०डी० (2)]

CABINET SECRETARIAT  
(Department of Personnel & Administrative Reforms)

New Delhi, the 27th March, 1974

S.O. 863.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri V. P. Raman, Advocate, Madras, as a Public Prosecutor for arguing case RC. 1/E/70-Madras against Shri J. K. K. Natarajan and others, in the Court of Ist Additional Sessions Judge, Madras.

[No. 225/8/74-AVD. (II)]

का० आ० 864.—दण्ड प्रक्रिया संहिता 1898 (1898 का 5) की धारा 492 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार, गृह मंत्रालय की अधिसूचना सं० 225/79/69-ए०बी०डी०-II, दिनांक 30 दिसम्बर, 1969 का अधिकारण करते हुए केन्द्रीय सरकार, एतद्वारा, केन्द्रीय अन्वेषण व्यूरो के प्रतिरिक्षित विधि सलाहकार श्री शिव प्रकाश भारद्वाज को भारत के किसी भी राज्य तथा संघ शमित क्षेत्र जहां दण्ड प्रक्रिया संहिता 1898 लागू होती है, के मैजिस्ट्रेट विशेष न्यायाधीश या सत्र न्यायाधीश के न्यायालय में दिल्ली विशेष पुलिस स्पायना द्वारा अन्वेषण एवं दायर किये गये सामलों तथा उन सामलों से उत्पन्न अपीली/पुनरीक्षणों के संचालन हेतु लोक अभियोजक नियुक्त करती है।

[संख्या 225/13/74-ए०बी०डी० (2)]

S.O. 864.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898) and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. 225/79/69-ΔVD (II) dated the 30th December, 1969, the Central Government hereby appoints Shri Shiv Prakash Bhardwaj, Additional Legal Advisor in the Central Bureau of Investigation, as Public Prosecutor for the conduct of cases investigated and instituted by the Delhi Special Police Establishment and appeals/revisions arising out of those cases in the Court of any Magistrate, Special Judge or Sessions Judge in any State or Union Territory of India to which the Code of Criminal Procedure, 1898 applies.

[No. 225/13/74-ΔVD (II)]

का० आ० 865.—दण्ड प्रक्रिया संहिता 1898 (1898 का 5) की धारा 492 की उप-धारा (1) के द्वारा प्रदत्त ग्रन्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री आर० एस० जामूरार, श्री आर० के० बांडा, श्री एस० धी० निगम, श्री एस० एम० दरबारी, श्री आर० धी० गर्मी तथा श्री जवाहरलाल, लोक अभियोजक केन्द्रीय अन्वेषण ब्यूरो को भारत के किसी भी राज्य तथा मंथ शस्ति भेज जहाँ दण्ड प्रक्रिया संहिता 1898 लागू होती है, के किसी भी मजिस्ट्रेट, विशेष न्यायाधीश या सत्र न्यायाधीश के न्यायालय में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित एवं दायर किए गए मामलों तथा उन मामलों से उत्पन्न अपीलों/पुनरीक्षणों के संबालन हेतु लोक अभियोजक नियुक्त करती है।

[नं० 225/17/74-ए०वी०धी० (2)]

धी० सी० वनजानी, अव० सचिव

**S.O. 865.**—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri R. S. Jamuar, Shri R. K. Bandha, Shri S. P. Nigam, Shri S. S. Darbari, Shri R. D. Sharma and Shri Jawahar Lal, Public Prosecutors, in the Central Bureau of Investigation, as Public Prosecutors for the conduct of cases, investigated and instituted by the Delhi Special Police Establishment, and appeals/revisions arising out of those cases, in the Court of any Magistrate, Special Judge or Sessions Judge in any State or Union Territory of India to which the Code of Criminal Procedure, 1898 applies.

[No. 225/17/74-AVD (II)]

B. C. VANJANI, Under Secy.

### भारत निर्बाचन आयोग

#### आदेश

नई दिल्ली, 15 मार्च, 1974

का० आ० 866.—यतः, निर्बाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए महाराष्ट्र के लिए साधारण निर्बाचन के लिए 60-इण्टर्व्युरी निवाचन-भेद से चुनाव लड़ने वाले उम्मीदवार श्री भारमल उल्लम थामाजी, गांव नन्दुरवैद्य, डाकखाना असदाली, तालुका हागलपुरी, जिला नासिक, महाराष्ट्र लोक प्रतिनिधित्व अधिनियम 1951 तथा तदृधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्बाचन व्यवों का कोई भी लेखा वाक्याल करने में असफल रहे हैं;

श्रीर, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस सफलता के लिए कोई कारण भयवा स्पष्टीकरण नहीं दिया है, और निर्बाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकाल नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-के अनुमति में निर्बाचन आयोग एतद्वारा उक्त श्री भारमल उल्लम थामाजी को संसद् के किसी भी मदन के या किसी राज्य के विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालाधिक के लिए निर्धारित घोषित करता है।

[मं० महा० धि० स० 60/72 (57)]

धी० नागसुब्रमण्यन, सचिव

### ELECTION COMMISSION OF INDIA

#### ORDER

New Delhi, the 15th March, 1974

**S.O. 866.**—Whereas the Election Commission is satisfied that Shri Bharmal Uttam Thamaji, Village Nandurvaidya,

Post Asvali, Taluka Igatpuri, District Nasik (Maharashtra), a contesting candidate in the general election held in March, 1972, to the Maharashtra Legislative Assembly from 60-Igatpuri constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bharmal Uttam Thamaji, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No. MT-LA/60/72(57)]

V. NAGASUBRAMANIAN, Secy.

#### वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 6 मार्च, 1974

#### प्रायोगिक

का० आ० 867.—मर्वेसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को वैज्ञानिक और श्रीदोग्निक अनुसंधान परिषद् विहित प्रधिकारी द्वारा, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के बंद (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल, 1973 से प्रभावी है।

#### संस्था

एम्बिनिट्रेटिव स्टाफ कालेज आफ इंडिया, हैदराबाद।

[सं० 569 (का०सं० 203/33/73-प्राई० टी० ए० ii)]

धी० पी० सूनसूनवाला, उप-सचिव

### MINISTRY OF FINANCE

(Department of Revenue and Insurance)

New Delhi, the 6th March, 1974

#### INCOME-TAX

**S.O. 867.**—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961. This notification is effective from 1st April 1973.

#### INSTITUTION

Administrative Staff College of India, Hyderabad.

[No. 569 (F. No. 203/33/73-ITA. II)]

T. P. JHUNJHUNWALA, Dy. Secy.

#### (पैकेज विभाग)

नई दिल्ली, 22 मार्च, 1974

का० आ० 868.—ईकिंग विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिजर्व बैंक की सिफारिश पर, भारत सरकार एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध, तूतीकोरिन कोप्रापरेटिव बैंक निः, तूतीकोरिन पर 1 मार्च, 1972 से 29 जून, 1972 तक की अवधि के लिये लागू नहीं होंगे।

[सं० एफ० 9/2/73-ग० सी०]

## (Department of Banking)

New Delhi, the 22nd March, 1974

**S.O. 868.**—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Tuticorin Co-operative Bank Ltd., Tuticorin, for the period from 1st March, 1972 to 29th June, 1972.

[No. F. 8/2/73-AC]

**का० प्रा० 869.**—बैंकिंग विनियमन प्रधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिजर्व बैंक की सिफारिश पर, भारत सरकार एन्टद्वारा घोषित करती है कि उक्त प्रधिनियम की धारा 11 की उपधारा (1) के उपबन्ध, पोरबन्दर विभागीय नागरिक सहकारी बैंक नि०, पोरबन्दर, पर 1 मार्च, 1973 से 28 फरवरी, 1974 तक वी अवधि के लिये लागू नहीं होगे।

[सं० एफ० 8/2/73-ए० सी०]

**S.O. 869.**—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Porbandar Vibhagiya Nagrik Sahakari Bank Ltd., Porbandar, for the period from 1st March, 1973 to 28th February, 1974.

[No. F. 8/2/73-AC]

**का० प्रा० 870.**—बैंकिंग विनियमन प्रधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिजर्व बैंक की सिफारिश पर, भारत सरकार एन्टद्वारा घोषित करती है कि उक्त प्रधिनियम की धारा 11 की उपधारा (1) के उपबन्ध, कामरूप इस्टर्न सेन्ट्रल कोऑपरेटिव बैंक नि०, कामरूप और डिब्रुगढ़ सेन्ट्रल कोऑपरेटिव बैंक लि०, डिब्रुगढ़ पर 1 मार्च, 1973 से 28 फरवरी 1974 तक की अवधि के लिये लागू नहीं होगे।

[सं० एफ० 8/2/73-ए० सी०]

**S.O. 870.**—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Kamrup District Central Co-operative Bank Ltd., Kamrup and the Dibrugarh Central Co-operative Bank Ltd., Dibrugarh, for the period from 1st March, 1973 to 28th February, 1974.

[No. F. 8/2/73-AC]

**का० प्रा० 871.**—बैंकिंग विनियमन प्रधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिजर्व बैंक वी सिफारिश पर, भारत सरकार एन्टद्वारा घोषित करती है कि उक्त प्रधिनियम की धारा 11 की उपधारा (1) के उपबन्ध,

बदंबान सैन्यस्थ कोऑपरेटिव बैंक नि०, बर्द्दवाल पर 30 सितम्बर 1972 से 28 जून, 1973 तक वी अवधि के लिये लागू नहीं होगी।

[सं० एफ० 8/2/73-ए० सी०]

हू० भवानी, प्रबन्ध सचिव

**S.O. 871.**—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Burdwan Central Co-operative Bank Ltd., Burdwan for the period from 30th September, 1972 to 28th June, 1973.

[No. F. 8/2/73-AC]

K. BAVANI, Under Secy.

(केंद्रीय उत्पाद तथा सोमा-शुल्क समाहरणालय, परिकल्पना बंगाल)

कलकत्ता, 12 फरवरी, 1974

केंद्रीय उत्पाद

**का० प्रा० 872.**—समाहरणालय प्रधिमूलना स० 4/1963—केंद्रीय उत्पाद दि० 26-7-73 के क्र० 1 के अंतर्गत नियम 49 के सम्बन्ध स्तम्भ 4 में निर्देशित शब्द और अंक रु० 750 के लिए याच और अंक रु० 1500 प्रस्तुत्यापित किये जायेंगे।

समाहरणालय प्रधिमूलना स० 2/1973—केंद्रीय उत्पाद दि० 20-7-73 एन्टद्वारा प्रतिसंहृत किया जाता है।

[सं० एन० प्र० iv(16) 9-के०उ०/72]

एन० एन० रामचंद्रराज, समाहरण

(Collectorate of Central Excise and Customs, Wet Bengal)

Calcutta, the 12th February, 1974

CENTRAL EXCISE

**S.O. 872.**—In the Collectorate Notification No. 4/1963-Central Excise, dated 26-7-1973, for the word and figures Rs. 750 appearing in Col. 4 against Rule 49 under Sl. No. 1, the word and figures Rs. 1,500 shall be substituted.

Collectorate Notification No. 2/1973—Central Excise, dated 20-7-1973 is hereby rescinded.

[C. No. IV(16)9-CE/72]

N. N. ROY CHAUDHURY, Collector

आयकर प्रायुक्त कार्यालय

नई दिल्ली, 25 मार्च, 1974

**का० प्रा० 873.**—आयकर प्रधिनियम, 1961 की धारा 287 के अनुसार, भारत सरकार, वित्त मंत्रालय (गजम्ब एवं बीमा विभाग), नई दिल्ली के आदेश एफ० भ० 16/202/67-प्राइंटी०वी०, दिनांक 25 मार्च, 1969 के द्वारा प्राधिकृत तथा निर्देशित निम्नलिखित निधारितियों, जिन पर वित्तीय वर्ष 1972-73 के द्वारा आयकर प्रधिनियम 1961 के उपबन्धों के प्रधीन 5,000 रु० से कम नहीं का अर्थदंड लगाया गया तथा निधारित अवधि में उन्हें आयकर प्रधीलीय प्रधिकरण द्वारा अपील नहीं की या अपील की तो उसका निपटान कर दिया गया, के नाम और उनसे संबंधित अन्य विनियिष्ट विवरणों को एन्टद्वारा प्रकाशित किया जाता है।

बित्तीय वर्ष 1972-73

क्रमांक	निर्धारिति का नाम व पता	प्राप्तिका	निर्धारण	अर्पणदण्ड की	जूक का स्वरूप
			4 वर्ष	राशि	
रु.					
1.	श्री बलबीर सिंह, 12-जी, कीर्तिनगर, नई दिल्ली	व्यष्टि	1964-65 —वही—	93,000 6,000	आय का छुपाना। धारा 142(1) या 143(2) के प्रधीन नोटिस का आपालन।
			—वही—	25,067	कुल आय की विवरणी निर्धारित अवधि में दाखिल न करना।
			1966-67	25,000	आय का छुपाना।
2.	मैं भारत निधि निः, 7-बहादुर शाह गफर मार्ग, दाइम्स हाउस, नई दिल्ली।	कम्पनी	1955-56	33,690	—वही—
3.	श्री जे० मार० मनिक, द्वारा ईरोज सिनेमा, रेलवे रोड, गुडगांव।	व्यष्टि	1961-62 1962-63 1963-64 1964-65 1967-68 1968-69	5,290 8,120 7,610 18,920 5,200 6,068	—वही— —वही— —वही— —वही— —वही— कुल आय की विवरणी निर्धारित अवधि में दाखिल न करना।
4.	मैं भार० के० मणीन टूल्स, इंडस्ट्रियल एरिया-ए, लुधियाना।	फर्म	1965-66 1966-67	50,785 1,55,204	आय का छुपाना। वही—

[एफ० स० एस० आई०/पी० एन० (1)/सी/73-74 आवकर]

पी०एन० मलहोत्रा, आवकर आयुक्त

OFFICE OF THE COMMISSIONER OF INCOME-TAX  
New Delhi, 25th March, 1974

S. O. 873.—As authorised and directed by the Government of India, Ministry of Finance (Department of Revenue & Insurance), New Delhi's order F. No. 16/202/67-ITB, dated 25th March, 1969, in terms of Section 287 of the Income-tax

Act, 1961, the names and other specified particulars relating to the assessees on whom a penalty of not less than Rs. 5,000 was imposed under the provisions of the Income-tax Act, 1961, during the Financial Year 1972-73 where no appeal to the Income-tax Appellate Tribunal was presented within the time allowed or the appeal if presented, has been disposed of, are hereby published.

## Financial Year 1972-73

Sl. No.	Name & address of the assessee.	Status	Asstt. Year	Amount of penalty.	Nature of default.
1.	Sh. Balbir Singh, 12-G, Kirti Nagar, New Delhi.	Indl.	1964-65 Do. Do. 1966-67	Rs. 93,000 Rs. 6,000 Rs. 25,067 Rs. 25,000	Concealment of Income. Non-compliance of notice u/s 142(1) or 143(2). Failure to file return of total income in time. Concealment of income.
2.	M/s. Bharat Nidhi Ltd., 7, Bahadur Shah Zafar Marg, Times House, New Delhi-1.	Coy.	1955-56	Rs. 33,690	Do.
3.	Sh. J.R. Malik, C/o Eros Cinema, Railway Road, Gurgaon.	Indl.	1961-62 1962-63 1963-64 1964-65 1967-68 1968-69	Rs. 5,290 Rs. 8,120 Rs. 7,610 Rs. 18,920 Rs. 5,200 Rs. 6,068	Do. Do. Do. Do. Do. Failure to file return of total income in time.
4.	M/s. R.K. Machine Tools, Industrial Area-A, Ludhiana.	Firm	1965-66 1966-67	Rs. 50,785 Rs. 1,55,204	Concealment of income. Do.

[F.No. SI/PN(1)/C/73-74 Income-tax]

P. L. MALHOTRA Commissioner  
of Income-tax.

बारिंग्स मंत्रालय  
प्रावेश  
नई दिल्ली, 25 मार्च, 1974

का० श्रा० 874.—आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा प्रदल शक्तियों का प्रयोग करने हों, केन्द्रीय सरकार विस्कोस स्टेपल तनु वितरण नियंत्रण आदेश, 1972 में और संशोधन करने के लिए निम्नलिखित आदेश करती है, अर्थात् :—

1. (1) इस आदेश का नाम विस्कोस स्टेपल तनु वितरण नियंत्रण (संशोधन) आदेश, 1974 है।  
(2) यह तुरन्त प्रवृत्त होगा।
2. विस्कोस स्टेपल तनु वितरण नियंत्रण आदेश, 1972 के पैरा 2 में, खण्ड (क) के स्थान पर निम्नलिखित खण्ड रखा जाएगा, अर्थात् :—  
(क) "अधिनियम" से उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) प्रभिन्न है।

[फाइल सं० 17013/1/टेक्स (5)/72]

मणि नारायणस्वामी, संयुक्त सचिव

### MINISTRY OF COMMERCE

#### ORDER

New Delhi, the 25th March, 1974

S.O. 874.—In exercise of the powers conferred by Section-3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Viscose Staple Fibre Distribution Control Order, 1972, namely :—

1. (1) This Order may be called the Viscose Staple Fibre Distribution Control (Amendment) Order, 1974.  
(2) It shall come into force at once.
2. In paragraph 2 of the Viscose Staple Fibre Distribution Control Order, 1972, for clause (a), the following clause shall be substituted, namely :—  
(a) "Act" means the Industries (Development and Regulation) Act, 1951 (65 of 1951)."

[F. N. 17013/1/Tex (V)/72]

MANI NARAYAN SWAMI, Joint Secy.

नई दिल्ली, 6 अप्रैल, 1974

का० श्रा० 875—नियंत्रण (गुणवत्ता नियंत्रण तथा निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा व्यक्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार, एवं द्वारा प्रान्त्र विवेश स्टेट वेयर-हाउसिंग कारपोरेशन (आधिकारिक सरकार द्वारा प्रायोजित उपकाम), हैवराबाद को तेल-रहित चावल की भूमि के, उसके नियंत्रण से पूर्व, गुणवत्ता नियंत्रण तथा निरीक्षण के लिये प्रभिन्नण के लिए एक वर्ष की अवधि के सिये मास्यता देती है और यह लिंग देती है कि भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं० 3608 दिनांक 16 नवम्बर, 1965 में और प्राप्त निम्नलिखित संशोधन किया जायेगा, यथा :—

उक्त अधिसूचना में अम सं० 14 तथा तत्संबंधी प्रविष्टि के बाद निम्नलिखित अन्त स्थापित किया जायेगा, यथा :—

"14 प्रान्त्र विवेश स्टेट वेयर हाउसिंग कारपोरेशन, हैवराबाद।"

[सं० 5(6)/73-ई-०८०५०४७ ई०५००]

एम० के० बी० भट्टनगर, अवर सचिव

New Delhi, the 6th April, 1974

S.O. 875.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of one year, the Andhra Pradesh State Warehousing Corporation (a Government of Andhra Pradesh sponsored Undertakings), Hyderabad, as the Agency for quality control and inspection of de-oiled rice bran prior to its export and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Commerce, No. S.O. 3608 dated the 16th November, 1965 namely :—

In the said notification, after serial No. 14 and the entry relating thereto, the following shall be inserted namely :—

"15. Andhra Pradesh State Warehousing Corporation, Hyderabad".

[No. 5(6)/73-ई&EP]

M. K. B. BHATNAGAR, Under Secy.

### उप-मुख्य नियंत्रक, आवात-नियंत्रण का कार्यालय

प्रावेश

कोटीन, 24 जनवरी, 1974

चित्प्रधारी प्रताप इंडस्ट्रीज, पी०बी०सं० 22, निशर, केरल को जारी किए गए लाइसेंस सं०पी०/एम/1786406/सी/एक्स/एक्स 47/ई/35/दिनांक 18-6-73 (मुद्रा विनियम नियंत्रण प्रयोजन प्रति) का रद्द करना।

का० श्रा० 876—संवैधारी प्रताप इंडस्ट्रीज पी०बी० 22 निशर, केरल को नया पैमाने उच्चांग प्राथमिकता प्राप्ति श्रेणी के अन्तर्गत श्रोत्रध तथा श्रेष्ठ एवं रसायनों के आधार के लिए 217050 रु० (दो लाख तत्त्व हजार पचास रु० मात्र) का आवात लाइसेंस सं० पी०/एम/1786406/सी/एक्स/एक्स/47/ई/35-36 दिनांक 18-6-73 स्वीकृत किया गया था :

अब उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति के सिए इस आधार पर आवेदन किया है कि मूल लाइसेंस विलकृत उपयोग किए बिना ही खो गया/प्रस्थानस्थ हो गया है।

मैं संतुष्ट हूं कि लाइसेंस सं०पी०/एम/1786406/सी/एक्स/एक्स/47/ई/35-36 दिनांक 18-6-73 की मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति विलकृत उपयोग किए बिना ही खो गई/प्रस्थानस्थ हो गई है और निदेश देता हूं कि आवेदक को उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति जारी की जाए।

[संज्ञा :— 2/74/एस एस आई]

शार जयराम नायक उप-मुख्य नियंत्रक

### OFFICE OF THE DY. CHIEF CONTROLLER OF IMPORTS AND EXPORTS

#### ORDER

Cochin, 24th January, 1974

SUBJECT. Cancellation of licence No. P/S/1786406/C/XX/47/E/35-36 dt. 18-6-73 (Exchange Control Purposes copy) issued to M/s. Pratap Industries, P. B. No. 22, Tirur, Kerala.

S.O. 876.—M/s. Pratap Industries, P. B. No. 22, Tirur, Kerala was granted licence No. P/S/1786406/C/XX/47/E/35-36 dt. 18-6-73 for Rs. 217050 (Rupees two lakhs seventeen thousand and fifty only) for Drugs and Medicines and chemicals under the S.S.I. Priority category.

They have now applied for duplicate Exchange control purposes copy of the said licence on the ground that the original licence has been lost/misplaced fully unutilised. In support of his claim, the applicant has filed an affidavit in the prescribed form.

I am satisfied that the original Exchange Control purposes copy of the licence No. P/S/1786406/C/XX/47/E/35-36 dt. 18-6-73 has been lost/misplaced, fully unutilised, and direct that the duplicate Exchange control purposes copy of the said licence be issued to the applicant.

[No. 2/74/SSI]

R. JAYARAM NAIDU, Dy. Chief Controller

### उप-मुख्य नियंत्रक, आयात-नियंत्रित का कार्यालय

#### आदेश

बंगलोर, 8 जनवरी, 1974

विषय.—गाइडेंस मं० पी०/एन०/2692933/सी०/एक्स/47/एक्स/35-36/एफ० 1.3 दिनांक 16-5-73 और दो रिहाई आदेशों मं० पी०/एन०/आर०/502937 तथा पी०/एन०/आर०/502939 दोनों का विनाक 16-5-1973 को रद्द करना।

का० आ० 877.—मर्वंश्री मलबरी एक्सेटिक प्रोडक्ट्स लि०, पास्ट उल्लाल, मग्नोर, द० कनारा को लाइसेंस अवधि अप्रैल-मार्च 73 के लिए पंजीकृत नियंत्रित नीति के अधीन 2,04873/ रुपये के लिए एक आयात लाइसेंस मं० पी०/एन०/2692933/सी०/एक्स/47/एक्स/35-36/एफ० 1.3 दिनांक 16-5-73 और 5391 रुपये के लिए राज्य व्यापार नियम, नई दिल्ली से सिटिक एमिल की रिहाई के लिए आदेश मं० पी०/एन०/आर०/502937/एक्स/35-36 विनाक 16-5-73 और 5391 रुपये के लिए खनिज तथा धातु व्यापार नियम, नई दिल्ली से 18 जी० से भोटी जंगावरोधी इस्पात चहरों तथा गड़ाई के लिए लेटेंटों और मंसाधन उपस्कर के लिए रिहाई आवेदन सं० पी०/एन०/आर०/502938/एक्स/35-36 दिनांक 18-5-73 प्रदान किए गए थे।

पंजीकृत डाक से प्रेषित किए गए उपर्युक्त आयात लाइसेंस और दो रिहाई आदेश मर्वंश्री मलबरी एक्सेटिक प्रोडक्ट्स लि०, पास्ट उल्लाल मग्नोर, द० कनारा कर्म को प्राप्त न होने की सूचना मिली है और प्रतीत होता है कि वे डाक-मार्ग में खो गए हैं। इसलिए लाइसेंस सं० पी०/एन०/2692933/सी०/एक्स/47/एक्स/35-36/एफ० 1.3 दिनांक 16-5-73 मूल्य 2,04,873 रुपये और दो रिहाई आदेश सं० पी०/एन०/आर०/502938/एक्स/35-36 विनाक 16-5-73 तथा पी०/एन०/आर०/502938/एक्स/35-36 विनाक 16-5-73 एतद द्वारा रद्द किये जाते हैं।

[सं० फिल०-20/आर० शी०-72/आर०ई०पी०/बंग/2078]

### OFFICE OF THE DY. CHIEF CONTROLLER OF IMPORTS AND EXPORTS

#### ORDER

Bangalore, the 8th January, 1974

Sub : Cancellation of Import Licence No. P/L/2692933/C/XX/47/X/35.36/F.1.3. dated 16-5-73 and two Release Orders No. P/L/R/502937 and P/L/R/502938 both dated 16-5-1973.

S.O. 877.—M/s. Mulberry Aquatic Products Ltd., Ullal, Mangalore, South Kanara have been granted an Import Licence No. P/L/2692933/C/XX/47/X/35.36/F.1.3 dated 16-5-73 for Rs. 2,04,873/- under the R.E.P. for AM 73 Licensing Period and two Release Orders No. P/L/R/502937/X/35-36 dated 16-5-73 for release of Citric Acid from the STC, New Delhi for Rs. 5391/- and No. P/L/R/502938/X/35-36

dated 16-5-73 for Rs. 5391/- for release of Stainless Steel Sheets thicker than 18G and Plates for fabrication and processing equipment from the MMTC, New Delhi.

The above Import licence and the two Release Orders despatched under Registered Post are reported to have not been received by the firm M/s. Mulberry Aquatic Products Ltd., Post Ullal, Mangalore, South Kanara and appear to have been lost in Postal transit. The licence No. P/L/2692933/C/XX/47/X/35.36/F. 1.3 dated 16-5-73 for Rs. 2,04,873/- and the two Release Orders No. P/L/R/502937/X/35.36 dated 16-5-73 and No. P/L/R/502938/X/35.36 dated 16-5-73 are, therefore, hereby cancelled.

[No. Fish. 20/OD 72/REP/Bang/2078]

#### आदेश

बंगलोर, 10 जनवरी, 1974

विषय:—आयात लाइसेंस सं० पी०/एन०/2692921/सी०/एक्स/47/एक्स/37.38/जी० 6.2, जी० 6.3 तथा जी० 44 दिनांक 10-5-1973 को रद्द करना।

का० आ० 878.—सर्वेत्री रोरिक एण्ड कम्पनी लि०, रोरिक हाउस, मोदी संत नाडियाड, गुजरात को लाइसेंस अवधि जे० एम० '73 के लिए पंजीकृत नियोनक नीति के अधीन 12,569 रुपये मूल्य का एक आयात लाइसेंस सं० पी०/एन०/2692921/सी०/एक्स/47/एक्स/37.38/जी० 6.2, जी० 6.3 तथा जी० 44 दिनांक 10-5-73 नियन्त्रित मर्वों के लिए प्रदान किया गया है:—

- प्रक्रान्तिकर आहार रंग (प्र०आ० अधिनियम के अन्तर्गत अनुमित)
- हींग
- पेकिटन
- मसाले अर्थात् दाल चीनी, जायफल तथा लवंग, तारा सौफ, जयपत्र पत्तियाँ और मरी मसाले (पिसेन्टो)
- रेग्माल, चिकनाई, महय कागज, बनस्पति चम्पपत्र और मन्य प्रनुमेय संवेष्टन सामग्री।

पंजीकृत डाक से प्रेषित किए गए उपर्युक्त आयात लाइसेंस फर्म सर्वेत्री रोरिक एण्ड कम्पनी लि०, रोरिक हाउस, मोदी संत, नाडियाड, गुजरात को प्राप्त न होने की सूचना मिली है और प्रतीत होता है कि वह डाक मार्ग में खो गया है। इसलिए लाइसेंस सं० पी०/एन०/2692921/सी०/एक्स/37.38/जी० 6.2, जी० 6.3 और जी० 44 विनाक 10-5-1973 एतद्वारा रद्द किया जाता है।

[सं० पी० एफ० 1/ज० एम०/73/आर०ई०पी०/बंग]

#### ORDER

Bangalore, the 10th January, 1974

Sub : Cancellation of Import Licence No. P/M/2692921/C/XX/47/X/37.38/G.6.2, G.6.3 & G.44 dated 10-5-1973.

S.O. 878.—M/s. Roreick & Co. Ltd., Roreick House, Modi Santh, Nadiad, Gujarat have been granted an Import Licence No. P/M/2692921/C/XX/47/X/37.38/G.6.2 G.6.3 & G.44 dated 10-5-1973 for Rs. 12,569/- under the R.E. for JM'73 Licensing Period for the items :

- Harmless Food Colours (Permitted under P.F. Act).
- Asafoetida.
- Pectin.
- Spices namely Cinnamon, Nutmegs and Cloves, Star Anise, Laural Leaves and all spices (Pimento)
- Glassine paper, Grease Proof papers, Vegetable Parchment paper and other permissible packing materials.

The above Import Licence despatched under Registered Post is reported to have not been received by the firm M/s Roreick & Co. Ltd., Roreick House, Modi Sanch, Nadiad, Gujarat and appear to have been lost in postal transit. The Licence No. P/M/2692921/C/XX/47/X/37.38/G.6.2, G.6.3 & G.44 dated 10-5-1973 is therefore hereby cancelled.

[No. PF. 1/JM. 73/REP/Bang./2085]

आवेदक

मंगलोर, 16 जनवरी, 1974

विषय:— 49,663 रु के लिए जारी किए गए नाइसेंस सं. पी०/एम०/2692820/सी०/एक्स०/एक्स०/46/एक्स०/35.36/आई० 1.1 दिनांक 17-3-1973 को मुद्रा विनियम नियंत्रण प्रति को रद्द करना।

का०प्रा० 879.—सर्वथी वसन्ना इंडस्ट्रीज, 8/209, कांडला आस रोड, मंगलोर-3 को सर्वथी मिशन गोविंद अनापा राय ए०/ए० संभ, बीच रोड, बन्दर, मंगलोर-1 के नामजद फर्म के स्वयं में निम्नलिखित मद के आवास के लिए 49,663 रु का नाइसेंस सं. पी०/एम०/2692820/सी०/एक्स०/एक्स०/46/एक्स०/35.36/आई० 1.1 दिनांक 17-3-73 स्थीरूप किया गया है:—

“दफ्तरी के डिप्लोम के निर्माण के लिए गता/जैसे बोहरा गता, तेहरा गता, हाथी दांत गता, आहार गता तथा काफ्ट लाइनर।”

उन्होंने उक्त नाइसेंस को अनुलिपि मुद्रा विनियम नियंत्रण प्रति के लिए इस आधार पर आवेदन किया है कि मूल प्रति किसी भी सीमांशुलक प्राधिकारी के पास पंजीकृत कराए विना और उसका विलुप्त उपयोग किए बिना ही अस्थानस्थ हो गई है। अब अनुलिपि मुद्रा विनियम नियंत्रण प्रति की आवश्यकता पूरे लागत बीमा भाड़ा सूख्य प्रर्थात् 49,663 रु के लिए है। अपने दावे के समर्थन में आवेदक ने एक स्टाम्प कागज पर एक शपथ पत्र दर्खिल किया है।

मैं संतुष्ट हूं कि नाइसेंस सं. पी०/एम०/2692820/सी०/एक्स०/एक्स०/46/एक्स०/35.36/आई० 1.1 दिनांक 17-3-73 की मूल मुद्रा विनियम नियंत्रण प्रति अस्थानस्थ हो गई है और निवेश देना हूं कि आवेदक फर्म की नाइसेंस की अनुलिपि प्रति जारी की जानी चाहिए।

नाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति रद्द की जाती है।

[सं. सी० के० 1/ओ०टी० 72/प्रार०ई०पी०/कंग/2143]

के० जयरामन,  
उप-मुख्य नियंत्रक,

### ORDER

Bangalore, the 16th January, 1974

Sub : Cancellation of Exchange Control copy of licence No. P/M/2692820/C/XX/46/X/35.36/I.1.1 dated 17-3-1973 for Rs. 49,663/-.

S.O. 879.—M/s. Balanja Industries, 8/209, Kandla Cross Road, Mangalore-3 have been granted licence No. P/M/2692820/C/XX/46/X/36-36/I.1.1 dated 17-3-73 for Rs. 49,663/- as a nominee firm of M/s. Mizar Govinda Annappa Pai & Sons, Beach Road, Bunder, Mangalore-1 for import of the item mentioned below :

“Card Board/Namely Duplex Board, Triplex Board, Ivory Board, Sulphite Board and Food Board and Kraft Liner/for fabrication of cartons”.

They have applied for Duplicate copy of the Exchange Control copy of the said licence on the ground that the original has been misplaced without having been Registered with any Custom Authorities and not utilised at all. The

Duplicate Exchange Control Copy is now required for the full C.I.F. value of Rs. 49,663/- In support of their claim the applicant has filed an affidavit on a stamped paper.

2. I am satisfied that the original Exchange Purposes copy of the licence No. P/M/2692820/C/XX/46/X/35.36/I.1.1 dated 17-3-73 has been misplaced and direct that the duplicate copy of the licence be issued to the applicant.

3. The original Exchange Control Purposes copy of the licence is hereby cancelled.

[No. CK. 1/OD'72/REP/Bang/2143]

K. JAYARAMAN, Dy. Chief Controller

संयुक्त मुख्य नियंत्रक, आवास-नियांत्रित का कार्यालय कोर्टीय साइसेंस भेज

आवेदक

नई विल्सनी, 15 सितम्बर, 1973

का०प्रा० 880.—श्री परमानन्द मार्पण जनगल इंजीनियरिंग कार्पोरेशन, 20, आधिकारिक इस्टेट ग्रीनला, नई विल्सनी-20 को मोटर व्हीकल पुर्जों के आवास के लिए 900 रुपये सूख्य का एक नाइसेंस सं. पी०/सी०/सी०/2360908 दिनांक 15-3-1971 जारी किया गया था। उन्होंने उक्त नाइसेंस की सीमांशुलक निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति दोनों की अनुलिपियों के लिए इस आधार पर आवेदन किया है कि मूल नाइसेंस (दोनों प्रतियां) बिना उपयोग किए और भारत में किसी पत्तन पर बिना पंजीकृत कराए ज्यो गया/अस्थानांतरण हो गया है।

2. अपने नर्के में आवेदक ने आवास व्यापार नियंत्रण नियम तथा कियाविधि हैन्डबुक, 1973-74 के परिवर्ष 8 के साथ पढ़े जाने वाले पैरा 318(2) में व्यापारपेक्षित एक ग्रामपाल 2 रुपये (दो रुपये मात्र) के स्टाम्प कागज पर दर्खिल किया है। मैं संतुष्ट हूं कि मूल सीमांशुलक निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति अस्थानस्थ हो गई।

3. अधितन यथा संगोष्ठित आवास (नियंत्रण) आवेदन, 1955 दिनांक 7-12-1955 धारा 9 (सी०सी०) द्वारा प्रवत्त अधिकारों का उपयोग करने हुए मैं नाइसेंस सं. पी०/सी०सी०/2360908 दिनांक 15-3-1971 की सीमांशुलक निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति रद्द करने ना आदेश देता हूं।

4. अब आवेदक के मामले पर उपयुक्त नाइसेंस की सीमांशुलक निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति की अनुलिपियां जारी करने के लिए आवास व्यापार नियंत्रण नियम तथा कियाविधि हैन्डबुक 1973-74 के पैरा 320(1) के अनुसार विचार किया जायेगा।

[संघ्या सी०सी०पी०/102/ए० ए०/71/सी०टी०ए०/सी०ए०ए०/827]

प० टी० सूख्य, उप-मुख्य नियंत्रक,  
फैसे संयुक्त मुख्य नियंत्रक

OFFICE OF THE JT. CHIEF CONTROLLER OF  
IMPORTS AND EXPORTS

(Central-Licensing Area) Indraprastha Bhawan : New Delhi.  
CANCELLATION ORDER

New Delhi, the 15th September, 1973

S.O. 880.—Shri Parmanand, c/o. General Engineering Corporation, 20, Okhla Industrial state, New Delhi-20 was issued licence No. P/CC/2360908 dated 15-3-1971 for Rs. 900/- for the import of motor Vehicle Parts. They have applied for issue of duplicate copy of the above said licence both for customs as well as exchange control purposes on the ground

that the original licence (both copies) has been lost/misplaced without having been utilised and registered at any port in India.

(2) The applicant has filed an affidavit on stamped paper of Rs. 2/- (Rupees Two only) in support of their contention as required under para 318(2) read with appendix-8 of I.T.C. Hand Book of Rules & Procedure, 1973-74. I am satisfied that the original Custom as well as exchange control purposes copies have been misplaced.

(3) In exercise of the Powers conferred on me under clause 9 (cc) imports (contd.) order, 1965 dated 7-12-1965 as amended upto date, I order the cancellation of custom as well as exchange control purposes copies of licence No. P/CC/2360908 dated 15-3-1971.

(4) The applicant's case will now be considered for the issue of duplicate copies of customs as well as exchange control purposes copies of the above said licence in accordance with para 320(1) of I.T.C. Hand Book of Rules and Procedure, 1973-74.

[CCP/102/AM : 71/CDN/CLA/327]

A. T. MUKHERJEE, Dy. Chief Controller  
for Jt. Chief Controller

### आवेदन

नई दिल्ली, 17 अक्टूबर, 1973

का.प्रा. 881.—सर्वथी आर.आर. इलेक्ट्रॉनिक्स इंडस्ट्रीज, जमदोली, आगरा रोड, जयपुर को (1) 2 एम एम से 13 एम एम तक की 32 एम डब्ल्यू जी डायमीटर से पतली पीला-ट्यूबों (2) 2782 ह० तक फासफर बोंज स्ट्रिप्स/बेरिलियम तांबा स्ट्रिप्स के आयात के लिए 18,550 ह० का एक आयात लाइसेंस सं०पी/एम/1777081 दिनांक 8-6-72 स्वीकृत किया गया था। उच्चोंने उक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रतियों बिना उपयोग किए ही खो गई/प्रस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैंडबुक, 1972-73 की कांडिका 318(2) के अन्तर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूं कि उक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों खो गई/प्रस्थानस्थ हो गई हैं।

आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की धारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस सं०पी/एम/1777081/सी दिनांक 8-6-72 की मूल मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों को रद्द करने का आवेदन देता हूं।

आवेदक को अब आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैंडबुक 1972-73 की कांडिका-318 (4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों अलग में जारी की जा रही है।

[मि० सं० : पी/प्रा-9(एन)/ए एम-72/ए यू-राज एड्हाक/सी एल ए/ 2650 ह०/-]

### ORDER

New Delhi, the 17th October, 1973

S.O. 881.—M/s. R. R. Electronic Industries, Jamdoli, Agra Road, Jaipur were granted import licence No. P/S/1777081/C. dt. 8-6-72 for Rs. 18,550 for import of (1) Brass Tube Thinner than 32 SWG Diameter Ranging from 2 MM to 13 MM, (2) Phospher bronze Strips/Beryllium Copper strips upto Rs. 2782. They have applied for issue of duplicate

copies of Exchange Control and Customs purposes copies thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the Original Exchange Control and Customs purposes copies have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7-12-1955, I order the cancellation of Exchange Control and Customs purposes copies of licence No. P/S/1777081/C dt. 8-6-72

The applicant is now being issued a duplicate copies of Exchange Control and Customs purposes copies of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. P/R-9(N)/AM-72/AU. Raj.&Adhc/CLA/2650]

### आवेदन

का.प्रा. 882.—सर्वथी फूल हंडस्ट्रीज, मेरती मिलवटो का बाज, जोधपुर (राज.) को 1. 1 एमएम से पतली पारदर्शक ए.पी० पीट्रस (2) सी एन राडों तथा ट्यूबों तथा (3) नियें तथा प्रतिबंधित से भिन्न आर्गेनिक रंजक रंगों के आयात के लिए 5000 रु० का एक आयात लाइसेंस सं०पी/एस/1800926 दिनांक 24-5-73 स्वीकृत किया गया था। उच्चोंने उक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों के लिए इस आधार पर प्रावेदन किया है कि उपर्युक्त प्रतियों बिना उपयोग किए ही खो गई/प्रस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैंडबुक, 1972-73 की कांडिका 318(2) के अन्तर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूं कि उक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों को रद्द करने का आवेदन देता हूं।

आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की धारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस सं०पी/एस/1800926 दिनांक 24-5-73 की मूल मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों को रद्द करने का आवेदन देता हूं।

आवेदक को अब आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैंडबुक, 1972-73 की कांडिका 318(4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों अलग से जारी की जा रही है।

[मि० सं०: एन पी/पी-23(एन)/ए एम-73/ए यू-राज एड्हाक/सी एल ए/ 2692]

### ORDER

S.O. 882.—M/s. Phool Industries, Merti Silwaton Ka Bas, Jodhpur (Raj.) were granted import licence No. P/S/1800926/C dt. 24-5-73 for Rs. 5,000 for import of (1) Transparent A. P. Sheets, thinner than 1.1 MM, (2) C.N. Rods & Tubes and (3) Organic Pigments Colours other than banned/restricted. They have applied for issue of duplicate copies of Exchange Control and Customs purposes copies thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the Original Exchange Control and Customs purposes copies have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7-12-1955, I order the cancellation of Exchange Control and Customs purposes copies of licence No. P/S/1800926/C dt. 24-5-73.

The applicant is now being issued duplicate copies of Exchange Control and Customs purposes copies of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. F. NP/P-23(N)/AM-73/AU. Raj.&Adhoc/ CLA/2692]

### आदेश

कांग्रा० 883.—सर्वश्री फूल इंडस्ट्रीज, मेरसी मिलवटों का बाम, जोधपुर (गज०) को (1) पर्सेंस इमेस तथा (2) नियंत्रण तथा परिवर्तन से भिन आर्टेनिक रंजक रंगों के आयात के लिए 5000 रु. का एक आयात लाइसेंस गं० पी/एम/1800600/ सी दिनांक 24-5-73 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमांशुलक कार्यसंबंधी तथा मुद्रा विनियम नियंत्रण प्रतियों के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रतियों बिना उपयोग किए थीं खो गई/प्रस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडब्ल्यूक, 1972-73 की कठिका 318(2) के अन्तर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं सत्याप्त हूं कि उक्त लाइसेंस की मूल मुद्रा विनियम नियंत्रण तथा सीमांशुलक कार्यसंबंधी प्रतियों खो गई/प्रस्थानस्थ हो गई हैं।

आयात (नियंत्रण) आदेश, 1955-दिनांक 7-12-1955 की धारा 9(सी सी) के अन्तर्गत प्रदूष अधिकारों वा प्रयोग कर मैं लाइसेंस मं० पी/एम/1800600/सी दिनांक 24-5-73 की मूल मुद्रा विनियम नियंत्रण तथा सीमांशुलक कार्यसंबंधी प्रतियों को रद्द करने का आदेश देता हूं।

आवेदक को अब आयात व्यापार नियंत्रण नियम क्रियाविधि तथा हैडब्ल्यूक 1972-73 की कठिका 318(4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण तथा सीमांशुलक कार्य- संबंधी प्रतियों अलग से जारी की जा रही हैं।

[मि० संख्या : एन पी/पी-१९(गज)/ए प्र-७३/ए य० (रज) तथा एड्हाक/सी प्र प/2734]

### ORDER

**S.O. 883.**—M/s. Phool Industries, Merti Silawaton Ka Bas, Jodhpur (Raj.) were granted import licence No. P/S/1800600/C dt 24-5-73 for Rs. 5,000 for the import of (1) Pearls Essence and (2) Organic Pigment Colours other than banned and restricted. They have applied for issue of duplicate copies of Exchange Control & Customs purposes copies thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the original Exchange Control and Customs purposes copies have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7-12-1955, I order the cancellation of Exchange Control and Customs purposes copies of licence No. P/S/1800600/C dt. 24-5-73.

The applicant is now being issued duplicate copies of Exchange Control and Customs purposes copies of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. F. NP/P-19(N)/AM-73/AU. Raj.&Adhoc/CLA/2734]

### आदेश

तई दिल्ली 13 दिसम्बर 1973.

कांग्रा० 884.—सर्वश्री शिव ओटोमोबाइल, गोकल भवन, बेरा के बालाजी का अस्ता, जयपुर (गजस्थान) को (1) 100 जाली से बारीक फेरस तथा वैर फेरस तार जाली, (2) आटोमोबाइल के लिए फिल्टरों के विनिर्माण के लिए फिल्टर पत्र, (3) सीधी स्वार्ड या कूड़ी में प्रम

एसशीट कटिंग तथा सुक्षमवाली शीटों के आयात के लिए (प्रत्येक) 12,000 रुपये के लिए आयात लाइसेंस संख्या पी/एम/1799336/सी तथा पी/एम/1799337 दिनांक 23-2-73 प्रदान किए गए थे। उन्होंने उक्त सीमांशुलक प्रयोजन तथा मुद्रा विनियम नियंत्रण प्रति की अनुलिपि प्रतियों के लिए इस आधार पर आवेदन किया है कि कि वे बिना कुछ भी उपयोग किए ही थीं गई/प्रस्थानस्थ हो गई हैं।

आवेदक ने आयात व्यापार नियंत्रण हैडब्ल्यूक, क्रियाविधि, 1972-73 के पैग 318(2) के अन्तर्गत यथा अपेक्षित अपने तर्क के समर्थन में एक शपथ-पत्र दाखिल किया है। मैं सत्याप्त हूं कि मूल लाइसेंस खो गए/प्रस्थानस्थ हो गए हैं।

आयात नियंत्रण आदेश, 1955, दिनांक 7-12-1955 की धारा 9 (भी सी) के अन्तर्गत भेरे प्रवत्र अधिकारों का प्रयोग कर मैं लाइसेंस संख्या पी/एम/1799336 और पी/एम/1799337 की सीमांशुलक प्रयोजन तथा मुद्रा विनियम नियंत्रण प्रतियों को रद्द करने का आदेश देता हूं।

आवेदक को अब आयात व्यापार नियंत्रण हैडब्ल्यूक क्रियाविधि, 1972-73 के पैग 318(4) की व्यवस्थाओं के अनुसार इन लाइसेंसों के प्रतुलिपि लाइसेंस जारी किए जा रहे हैं।

[संख्या पी/एम-३(एन)/ए प्र-७३/ए य० राज एन्ड एड्हाक/सी प्र प/3822]

### ORDER

New Delhi the 13th December, 1973

**S.O. 884.**—M/s. Shiva Automobiles, Gokal Bhawan, Bari Ke Bala Ji Ka Pasta, Jaipur (Raj) were granted import licence No. P/S/1799336/C & P/S/1799337 dt. 23-2-73 for Rs. 12000 (each) for import of (1) Ferrous and Non-ferrous wire Mesh finer than 100 mesh, (2) Filter paper for the manufacture of Filters for Automobiles, (2) M.S. Sheets cutting and defective sheets in straight length or in Coil (excluding coated sheets cutting and defective). They have applied for issue of duplicate copies of Customs purpose and Exchange Control Copy, thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the Original licences have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7th December, 1955. I order the cancellation of the Customs purpose and Exchange Control copies of the licence Nos. P/S/1799336 and P/S/1799337 dt. 23-2-1973.

The applicant is now being issued the duplicate licences of these licences in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure 1972-73.

[No. P/S-3(N)/AM-73/AU. Raj. & Adhoc/ CLA/3822]

### आदेश

नई दिल्ली, 31 अक्टूबर, 1974

कांग्रा० 885.—सर्वश्री प्रकाश पलवराइजिंग मिल्स, हैंडस्ट्रियल एग्रिया अग्रवाल (गज०) को पी०जी० रेड आस्माहाड़ के आयात के लिए 12,286 रु. का एक आयात लाइसेंस स० पी/एम/179934 दिनांक 23-2-73 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमांशुलक कार्यसंबंधी प्रति के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रति बिना उपयोग किए ही थीं खो गई/प्रस्थानस्थ हो गई हैं।

आवेदक ने आपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडब्ल्यूक, 1972-73 की कठिका 318(2) के अन्तर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं सत्याप्त हूं कि उक्त लाइसेंस की मूल सीमांशुलक कार्यसंबंधी प्रति खो गई/प्रस्थानस्थ हो गई हैं।



मार्च 73 अवधि के लिए निम्नतिष्ठत अनुमार एक रिहाई आदेश जारी किया गया था :—

रिहाई आदेश सं. और दिनांक	विवरण	मूल्य
पी/एम/आर-131839/48/वी/ 35-36 दिनांक 4-9-1973	1. 5 मिंटी ० मोटाई में कम बी०पी० बीट्टम /शेट तथा कॉल्ड रोल्ड	68,645
	2. 1-6 मिंटी० में मोटी जी०पी० शीट्स	

अब उन्होंने उपर्युक्त रिहाई आदेश को रद्द समझे जाने के लिए इग आधार पर आवेदन किया है कि मूल प्रति खो गई है। यह भी उल्लेख किया गया है कि उन्होंने मूल रिहाई आदेश का पूर्ण मूल्य 68,645/- रुपये सीमा तक उपयोग नहीं किया गया था।

इस तर्क के समर्थन में आवेदक ने एक परिस्टेट द्वारा विधिवत् सामाजिक स्टाम्प देखा पर एक शपथ पत्र दाखिल किया है।

मैं मनुष्ट हूँ कि मूल रिहाई आदेश खो गया है और निदेश देता है कि इसकी अनुप्रिया आवेदक का इसके पूर्ण बिना उपयोग किए गए मूल्य के लिए जारी की जानी चाहिए। रिहाई आदेश 68,645/- रुपये की पूर्ण अनुरागी के लिए रद्द किया जाना है।

[मं. 836/319335/एम०/म०ग्राह०/प०न की/प०त /ए. एम० 73/राई  
ए० एम०/प०त-3]

प्र०प०त० भल्ला, उप-मूल्य नियन्त्रक

#### ORDER

Bombay the 6th February, 1974

Subject :—Cancellation of Release Order No. P/S/R-131839/  
48/B/35-36 dt. 4-9-73 issued to M/s. Sterling Export  
(India), 10-A, Dantaj Industrial Estate, Sunmill  
Road, Lower Parel West, Bombay-13.

S.O. 887.—M/s. Sterling Exports (India), 10-A, Dantaj Industrial Estate, Sunmill Road, Lower Parel West, Bombay-13, were issued Release Order for AM. 73 period as under :—

R.O. No. & Date	Description	Value
P/S/R-131839/48/B/35-36 dated 4-9-1973	1. B.P. Sheets below 5mm thickness/Hot & Cold Rolled	68,645
	2. G.P. Sheets thicker than 1.6mm	

2. They have now requested to treat the above Release Order as cancelled, on the ground that the original copy has been lost. It is further stated that the Original Release Order was not utilized by them to the extent of full value of Rs 68,645.

3. In support of this contention, the applicant has filed an affidavit on a stamped paper duly attested by a Magistrate.

4. I am satisfied that the original Release Order has been lost and direct that duplicate copy of the Release Order for the full unutilized value of Rs. 68,645 should be issued to the applicant. The Release Order is cancelled for the full amount of Rs 68,645.

[No. 836/319335/SSI/NP/N/AM. 73/I&S/L.III]

A. L. BHALLA Dy. Chief Controller

प्रोत्तोगिक विकास मंत्रालय

नई दिल्ली, 14 फरवरी, 1974

S.O. 888.—केंद्रीय मरकार, भारतीय मानक सम्पादन (प्रमाणन चिह्न) नियम, 1955 के नियम 13 के माध्य पठित, भारतीय मानक संस्था (प्रमाणन चिह्न) प्रतिनियम, 1952 की धारा 10 की उपधारा (1) द्वारा प्रवत्त जटियों का प्रयोग करते हुए, भारतीय मानक संस्था से परामर्श करके यह निदेश देती है कि उक्त प्रतिनियम की धारा 3 के खण्ड (50) के अधीन उक्त संस्था द्वारा प्रयोक्तव्य जटियां, भारत में विनिर्मित रबर और रबर उत्पादों के मम्बन्ध में, रबर प्रधिनियम, 1917 (1947 का 24) की धारा 1 के अधीन गढ़ित रबर और बांध द्वारा भी प्रयोक्तव्य होंगी।

[फाइल मं. 18(41)/एम० शी० ए० ए० पी०/73]

एम० को० महगान, संयुक्त मण्डिल

#### MINISTRY OF INDUSTRIAL DEVELOPMENT

New Delhi, the 14th February, 1974

S.O. 888.—In exercise of the powers conferred by sub-section (1) of section 10 of the Indian Standards institution (Certification Marks) Act, 1952 (36 of 1952), read with rule 13 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Central Government, in consultation with the Indian Standards Institution, hereby directs that the powers exercisable by the said Institution under clause (e) of Section 3 of the said Act shall, in relation to rubber and rubber products manufactured in India, be exercisable also by the Rubber Board constituted under Section 4 of the Rubber Act, 1947 (24 of 1947).

[File No. 18(41)/SD&P/73]

S. K. SAHGAL, Jt. Secy.

ग्रोवोगिक विकास, विज्ञान और प्रोत्तोगिकी संवालय

(भारतीय मानक संस्था)

नई दिल्ली, 21 मार्च, 1974

क्रा० ग्रा० ४४०— समय समय पर सशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम ३ के उपविनियम (२) और (३) के अनुमार भारतीय मानक संस्था द्वारा प्रधिसूचित किया जाता है कि नीचे ग्रन्तसूची में गिन मानकों के व्याप्रे दिए गए हैं, १ अगस्त में ३१ अगस्त १९७२ की प्रवर्धि में निर्धारित किए गए हैं।

## ग्रन्तसूची

क्रम संख्या	निर्धारित भारतीय मानक की पद संख्या	नाम भारतीय मानक द्वारा रद्द हुए भारतीय मानक की पद संख्या और शीर्षक	संक्षिप्त विवरण
1	2	3	4
1.	IS: 1200 (भाग ५)-1972 इमारती और मिलिंग इंजीनियरी कार्यों के लिए मापन पद्धति भाग ५ तल्ला बंदी (दूसरा पुनरीक्षण)	IS: 1200-1964 इमारती कार्यों द्वारा इमानक में तल्ला बंदी का काम नापने के विषय में पद्धति वी के लिए मापन पद्धति (पुनरीक्षण)	इस मानक में इमारती और मिलिंग इंजीनियरी कार्यों में पाइल विठाने के संबंध में मापन पद्धति दी गई है। यह मानक लागत-अनुमान और राशि सूचियां तैयार करने तथा मौके पर नाप के भी काम आता है। (मूल्य रु० २.५०)
2.	IS: 1200 (भाग २३)-1971 इमारती और मिलिंग इंजीनियरी कार्यों के लिए मापन पद्धति भाग २३ पाइल विठान (दूसरा पुनरीक्षण)	(१) IS 1200-1964 इमारती कार्यों के लिए मापन पद्धति (पुनरीक्षण) (२) IS 3385 (भाग १)-1965 पाइल वाली नींवों की विशिष्ट	इस मानक में इमारती कार्यों में पाइल विठाने के संबंध में मापन पद्धति दी गई है। यह मानक लागत-अनुमान तैयार करने तथा मौके पर नाप के भी काम आता है। (मूल्य रु० ३.५०)
3.	* IS: 1221-1971 रजकों से बनी फाउंडेशन पेन्यों की स्थाहियों की विशिष्ट (दूसरा पुनरीक्षण)	IS: 1221-1957 रजकों से बनी फाउंडेशन पेन्यों की स्थाहियों (नीली, हरी, बैंजनी, काली और लाल) का विशिष्ट	इस मानक में रजकों से बनी फाउंडेशन पेन्यों की विभिन्न रंगों की स्थाहियों के विषय में प्रयोग की राशि लेने तथा परीक्षण की पद्धतियों दी गई है। (मूल्य रु० ४.००)
4.	IS: 1331-1971 इमारती लकड़ी के कटे टुकड़ों की विशिष्ट (दूसरा पुनरीक्षण)	(१) IS: 1331-1966 इमारती लकड़ी के कटे टुकड़ों की विशिष्ट (२) IS: 1629-1960 इमारती लकड़ी के कटे टुकड़ों के ग्रेड नियरिंग के नियम	इस मानक में संरचनात्मक और अन्य कार्यों में प्रयुक्त लकड़ी के गोदामों में पड़ी कटी हुई इमारती लकड़ी के विषय में विशिष्ट दी गई है। (मूल्य रु० ४.००)
5.	IS: 1660 (भाग-३)-1972 पिटवोंग ग्रन्थि नियम के वर्तनों की विशिष्ट भाग ३ पैटे सेक्टर के पैन	—	इस मानक में पैटी सेक्टर वाले पैन के विषय में प्रयोग की राशि दी गई है। (मूल्य रु० ३.००)
6.	** IS: 1830-1971 मिलिंग कटरों की मापनाई भव्यधी तकनीकी राशि (पहला पुनरीक्षण)	IS: 1830-1961 मिलिंग कटरों के विषय में सामान्य अंगाकार	इस मानक में मिलिंग कटरों से संबंधित शब्दावली, सामग्री तथा अन्य प्रयोग की राशि दी गई है। इसमें औजार योग्य ममुचित मिल कटर के चुनाव से संबंधित तिफारियों दी गई है। (मूल्य रु० ५.००)
7.	IS: 1885 (भाग-३२)-1971 विशुद्ध तकनीकी शब्दावली भाग ३२ विज्ञानी की संस्थाई के लिए केबल, चालक और महायक भ्रंग	IS: 1591-1960 केबल, चालक और महायक भ्रंगों से संबंधित शब्दावली	इस मानक में बिलिंग कटरों से संबंधित शब्दावली, सामग्री तथा अन्य प्रयोग की राशि दी गई है। इसमें औजार योग्य ममुचित मिल कटर के चुनाव से संबंधित तिफारियों दी गई है। (मूल्य रु० ५.००)
8.	IS: 1885 (भाग ३३)-1972 विशुद्ध तकनीकी शब्दावली भाग ३३ दाख विशुद्ध फिल्टर	—	इस मानक में दाख विशुद्ध फिल्टरों में प्रयुक्त शब्द और उनकी परिभाषाएँ दी गई हैं। (मूल्य रु० ३.५०)
9.	IS: 2171-1972 सूखे पाउडर वाले मुक्ताहृ अग्नि शामकों की विशिष्ट (पहला पुनरीक्षण)	IS: 2171-1962 सूखे पाउडर वाले मुक्ताहृ अग्नि शामक की विशिष्ट	इस मानक में सूखे पाउडर वाले मुक्ताहृ अग्नि शामकों के शामकों में लगने वाली सामग्री, आकृति निमिण, सूखे पाउडर के संबंध में अपेक्षाएँ और परीक्षण पद्धतियों दी गई है। (मूल्य रु० ५.००)

\*भा० मा० संस्था प्रमाणाकन योजना के लिए IS: 1221-1971। १ मित्रम्बर १९७२ से लागू हो गया।

\*\*भा० मा० संस्था प्रमाणाकन योजना के लिए IS: 1830-1971। १ दिसम्बर १९७२ से लागू हो गया।

1	2	3	4
10. IS : 2198-1971 वैमानिकी कारों के लिए IS : 2198-1962 वायुयान की वचाव पेटियों और बढ़ियों के लिए IS : 2198-1962 वायुयान की वचाव पेटियों और बढ़ियों में प्रयुक्त मन की जानी की विशिष्टि (पहला पुनरीक्षण) मन की जानी की विशिष्टि इस मानक में सुरक्षा और पैराग्रृह की बढ़ियों में प्रयुक्त मन की जानी के विषय में निर्माण संबंधी व्यौरे तथा अन्य अपेक्षाएं निर्वाचित की गई हैं। (मूल्य रु 3.50)			
11. IS : 2501-1972 सामान्य इंजीनियरी कारों के लिए तांबे की नलियों की विशिष्टि (पहला पुनरीक्षण)	IS : 2501-1963 सामान्य इंजीनियरी कारों के लिए तांबे की नलियों को विशिष्टि	इस मानक में सामान्य इंजीनियरी कारों में काम आने वाली ठांबे विच्ची हुई तांबे की नलियों के विषय में अपेक्षाएं दी गई हैं। (मूल्य रु 2.50)	
12. *IS : 2669-1971 समान्तर बैंक वाले बुड़रफ कुंजीखाल वाले मिलिंग कटरों की विशिष्टि (पहला पुनरीक्षण)	IS : 2669-1964 बुड़रफ कुंजीखाल वाले मिलिंग कटरों की विशिष्टि	इस मानक में समान्तर बैंक वाले बुड़रफ कुंजीखाल वाले मिलिंग कटरों के विषय में माप तथा अन्य अपेक्षाएं दी गई हैं। ये मिलिंग कटर : 2294-1963 बुड़रफ कुंजीखाल के अनुरूप कुंजीखाल बनाने के लिए प्रयुक्त होते हैं। (मूल्य रु 3.00)	
13. IS : 2720 (भाग 13)-1972 मूतिकाओं की परीक्षण पद्धतियों भाग 13 प्रत्यक्ष कर्तन परीक्षण (पहला पुनरीक्षण)	IS : 2720 (भाग 13) 1965 मूतिकाओं की परीक्षण पद्धतियों भाग 13 प्रत्यक्ष कर्तन परीक्षण	इस मानक में भीधे दबाव चालक मूतिकाओं के कटने की सामर्थ्य जिसमें बड़ी से बड़ी इमी 475 मिमी हो, दी गई है। (मूल्य रु 4.00)	
14. **IS : 3715 भाग 1-1971 एकदिवस चालक साधनों के लिए अक्षर प्रतीक, भाग 1 सामान्य पक्ष (पहला पुनरीक्षण)	—	इस मानक में एकदिवस चालक साधनों (समर्कित मिक्टों सहित) पर काम आने वाले अक्षर प्रतीक तैयार करने के सामान्य पक्ष और नियम दिए गए हैं। (मूल्य रु 6.50)	
15. IS : 4839 (भाग 2) 1971 नहरों के रख-रखाव की रीति सहिता भाग 2 पक्की नहर	—	इस मानक में पक्की नहरों के रख-रखाव और मरम्मत सब्दी अपेक्षाएं दी गई हैं। (मूल्य रु 2.00)	
16. IS : 6182-1971 दात संबंधी केबल आर्म के माप	—	इस मानक में केबल आर्म से सद्विधन अनिवार्य माप दिए गए हैं। (मूल्य रु 3.00)	
17. IS : 6183-1971 दात संबंधी सेक्षन आर्म के माप	—	इस मानक में दात संबंधी सेक्षन आर्म के अनिवार्य माप दिए गए हैं। (मूल्य रु 3.00)	
18. IS : 6213 (भाग 4) 1971 लुगदी की परीक्षण पद्धतियों भाग 4 लुगदी की विस्को-मिना जात करना	—	इस मानक में लुगदी की विस्को-मिना ताप्यमानियम और ताप्य इकाईनेटायामीन घानों में जात करने की परीक्षण पद्धतियों निर्वाचित की गई है। (मूल्य रु 5.00)	
19. IS 6318-1971 खिड़ियों में लगने वाले प्लानिंक के रोक और कुड़ियों आदि की विशिष्टि	—	इस मानक में खिड़ियों में लगने वाले पालीप्रोपाइलीन के बने हुए रोक और नाइलोन की अनी कुड़ियों आदि की कार्यप्रदता संबंधी अपेक्षाएं दी गई हैं। (मूल्य रु 3.50)	
20. IS : 6341-1971 साधारण सड़न के विशद्द सकड़ी के परिवर्तकों की प्रभायशीलता ज्ञान करने के लिए प्रयोगशाला पद्धति	—	इस मानक में प्रयोगशाला में साधारण सड़न के विशद्द सकड़ी के परिवर्तक साधारण सकड़ों का सापेक्षिक कागजनाली मान जान करने की परीक्षण पद्धतियों दी गई है। (मूल्य रु 2.50)	

\*भा० मा० संस्था प्रमाणांकन योजना के लिए IS : 2669-1971, 1 दिसम्बर 1972 से लागू हो गया।

\*\* IS : 3715 भाग भागों में तैयार हो रहा है। इस प्रकार इन भागों के प्रकाशन के बाद IS 3715-1966 नियस्त गान लिया जाएगा।

1	2	3	4
21. IS : 6342-1971 कटे हुए परत बनाने के लिए रोज़बूड की टुकड़ों की विशिष्टि	—	—	इस मानक में रोज़बूड के कटे हुए परत तैयार करने के लिए रोज़बूड के टुकड़ों के विषय में व्यूनतम अपेक्षाएँ दी गई हैं। (मूल्य रु 2.50)
22. IS : 6346-1971 वालों में बनाने वाली लकड़ी की धनियों की परीक्षण पद्धतिया	—	—	इस मानक में खालों में काम आने के लिए लकड़ी की उपयुक्तता ज्ञान करने के विषय में भौतिक और यांत्रिक परीक्षण पद्धतिया बनाई गई है। (मूल्य रु 5.00)
23. *IS : 6352-1971 समानान्तर शैको वाले खाले काटने के मिलिंग कटरों की विशिष्टि	—	—	इस मानक में समानान्तर शैकों वाले खाले काटने के मिलिंग कटरों के विषय में माप और अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
24. *IS : 6353-1971 समानान्तर शैकों वाले गिरे काटने के मिल की विशिष्टि	—	—	इस मानक में समानान्तर शैकों वाले गिरे काटने के मिल के विषय में माप और अपेक्षाएँ दी गई है। (मूल्य रु 3.00)
25. IS : 6354-1971 मोर्संगावद्दुम शैक वाले मिरे काटने के मिल की विशिष्टि	—	—	इस मानक में मोर्संगावद्दुम शैक वाले सिरे काटने के मिल के विषय में माप तथा अपेक्षाएँ दी गई है।
26. IS : 6374-1971 पड़भूती शाक्स- नुमा रिंबो (पानों) की विशिष्टि	—	—	इस मानक में शाक्सनुमा रिंबो (पानों) की माप और अपेक्षाएँ दी गई है। (मूल्य रु 3.00)
27. IS : 6366-1971 फार्डियो में काम आने वाले स्प्रू ल्लग की विशिष्टि	—	—	इस मानक में फार्डियों में काम आने वाले स्प्रू ल्लगों के विषय में अपेक्षाएँ दी गई है। (मूल्य रु 3.00)
28. *IS : 6377-1971 फार्डियो में काम आने वाली मोर्सियों की विशिष्टि	—	—	इस मानक में फार्डियो में काम आने वाली मोर्सियों के विषय में अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
29. IS : 6388-1971 मोर्स गावद्दुम शैक वाले मिलिंग खाल काटने के मिलिंग कटर की विशिष्टि	—	—	इस मानक में गावद्दुम शैक वाले खाल काटने के मिलिंग कटरों के विषय में माप और अपेक्षाएँ दी गई है। (मूल्य रु 3.00)
30. IS : 6419-1971 सरचना इस्पातों की गैस रक्षित आर्क बैंलिंग में प्रयुक्त वैलिंग छड़ों और छुलें इनैक्सिलों की विशिष्टि	IS : 2680-1964 अविय गैस टगस्टन आर्क बैंलिंग के लिए प्रयुक्त पूरक छड़ और तार की विशिष्टि	—	इस मानक में अविय गैस टगस्टन आर्क बैंलिंग (टी०आर०जी०), गैस टगस्टन आर्क बैंलिंग (एस आर०जी०) अथवा बैंलिंग विधियों द्वारा सरचना इस्पातों की बैंलिंग के लिए प्रयुक्त टोम पूरक छड़ों और तारों के विषय में अपेक्षाएँ निर्धारित की गई हैं। मानक में पूरक छड़ों और तारों के रूपायनिक मष्टक भी दिए गए हैं। (मूल्य रु 4.00)
31. IS : 6420-1972 आंख के अशुकोष मस्कन्थी रिट्रैक्टर (मूलर पैटर्न) की विशिष्टि	—	—	इस मानक में आंख की संरंगी में काम आने वाली अशुकोष रिट्रैक्टर के विषय में माप मस्कन्थी तथा अन्य अपेक्षाएँ दी गई है। (मूल्य रु 3.00)
32. IS : 6427-1972 पाइल टांकों के उपकरण मस्कन्थी शव्वालनी	—	—	इस शब्दावली में पाइल टांकों के उपकरणों और टांकों की प्रियांशी से मस्कन्थी तकनीकी शब्द तथा परिभाषाएँ दी गई हैं। (मूल्य रु 2.50)
33. IS : 6428-1972 पाइल के छाँच की विशिष्टि	—	—	इस मानक में पाइल छाँच को ऊखाइया और छाँच के लिए सुगमता पूर्वक वाले पाइल के माप तथा शून्होंके व्यूनतम बजेन निर्धारित किए गए हैं। (मूल्य रु 1.50)

1	2	3	4
34. IS : 6433-1972	गनाईटोकार्ट उपकरण की विशिष्टि	—	इस मानक में कंट्रोल के गनाईटोकार्ट उपकरण का आकार, माप और कार्यप्रदत्ता सम्बन्धी अपेक्षाएँ दी गई हैं। (मूल्य रु 2.50)
35. IS : 6435-1971	कंडरा निष्पर्स की विशिष्टि	—	इस मानक में मर्जी में काम आने वाली कंडरा निष्पर्स के विषय में माप तथा अन्य अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
36. IS : 6464-1972	ट्रूनिंग फोर्क (गार्डिनर ब्राउन पैटर्न) की विशिष्टि	—	इस मानक में निदान उपकरणों के स्थान में मर्जीनों द्वारा काम में आने वाले ट्रूनिंग फोर्क (गार्डिनर ब्राउन पैटर्न) के विषय में माप सम्बन्धी तथा अन्य अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
37. IS : 6469-1972	हारपूत ट्रॉकर (टिले पैटर्न) की विशिष्टि	—	इस मानक में ई०एन०टी० मर्जीनों द्वारा काटर मर्जी में वीवार ट्रॉकर के काम आने वाले टिले पैटर्न के हारपूत ट्रॉकर के विषय में माप सम्बन्धी तथा अन्य अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
38. IS : 6470-1972	पोलिट्रिकरण उपकरण (प्रिचर्ड पैटर्न) की विशिष्टि	—	इस मानक में ई०एन०टी० मर्जीनों द्वारा प्रयुक्त प्रिचर्ड तम्पने के पोलिट्रिकरण उपकरण के विषय में माप और कार्यप्रदत्ता सम्बन्धी अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
39. IS : 6485-1972	विकलांगता संबंधी कोणीय गौज फोर्मेस की विशिष्टि	—	इस मानक में विकलांगता संबंधी में काम आने वाले कोणीय प्रकार के गौज फोर्मेस के विषय में माप तथा अन्य अपेक्षाएँ दी गई हैं। (मूल्य रु 3.00)
40. IS : 6489-1972	निवाड़ के माज- मामान के विषय सूती निवाड़ पट्टी की विशिष्टि	—	इस मानक में मनुष्यों के काम आने वाले निवाड़ के विभिन्न प्रकार के माज मामान के बनाने में काम आने वाली अनेक प्रकार की सूती निवाड़ की पट्टियों के विषय में अपेक्षाएँ निर्धारित की गई हैं। यह निवाड़ पीठ पर लादने के लिए, रसोई के बर्तन, जलसंग्रह दोप, पहनने के लिए, नक्की के लिए, हालडाल, स्ट्रेचर के लिए इत्यादि बनाने में काम प्राप्ती है। (मूल्य रु 3.50)
41. IS : 6534-1971	इमारती लकड़ी के ग्रेड निर्धारण तथा निरीक्षण की विशिष्टि	—	इस मानक में इमारती लकड़ी अथवा उमकी लकड़ी वस्तुओं के ग्रेड निर्धारण की विशिष्टियां नैयार करने समय अथवा सैदान में इनके ग्रेड निर्धारण के लिए प्रयुक्त मामान्य मिलात दिए गए हैं। इसमें इमारती लकड़ी का निरीक्षण तथा इसमें ग्रेड निर्धारण सम्बन्धी अन्य बातें भी वर्णित गई हैं। (मूल्य रु 3.50)

इन भारतीय मानकों की प्रतियां, भारतीय मानक सम्मत, ९-बहादुरशाह जफर मार्ग, नई दिल्ली ग्रीन ड्राइव उमकी गार्डन कार्यालयों (१) मालता नूर मोहम्मद जेन्स मार्ग, शानपुर, अहमदाबाद-१ (२) 'एफ' ल्याक बनिटी बिल्डिंग नरगिंहगाज म्बापर, बंगलोर-२ (३) नावेल्टी चैम्बर्स, ग्रांट रोड, बम्बई-७, (४) ५ चौरसी एप्रोच, कलकत्ता-१३ (५) ५-९-२० १/२-ए (वहानी मॉल) चिरगग्रामी नेत, हैदराबाद-१, (६) ११७/४१८ बी मर्वोदर नगर, कानपुर-५ और (७) ५४ जनरल पैटर्स रोड, मद्रास-२ से प्राप्त की जा सकती हैं।

**MINISTRY OF DEVELOPMENT, SCIENCES AND TECHNOLOGY**  
**Indian Standards Institution**

New Delhi, the 21st March, 1974

**S.O. 889**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are mentioned in the Scheduled given hereafter, have been established during the period 1st August to 31st August, 1972.

**SCHEDULE**

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1.	IS : 1200 (Part V)—1972 Method of measurement of building and civil engineering works Part V Formwork. <b>(Second Revision)</b>	IS : 1200—1964 Method of measurement of building works. <b>(revised)</b>	This standard covers the method of measurement of formwork, where it is required to be measured separately. (Price Rs. 2.50)
2.	IS : 1200 (Part XXIII)—1971 Method of measurement of building and civil engineering works Part XXIII Piling. <b>(Second Revision)</b>	(i) IS : 1200—1964 Method of measurement of building works. <b>(revised)</b> (ii) IS : 3385 (Part I)—1965 Specification for pile foundations.	This standard covers the method of measurement of piling in building and civil engineering works and applies to the preparation of estimates and bills of quantities and site measurements. (Price Rs. 3.50)
3.	*IS : 1221—1971 Specification for dye based fountain pen inks. <b>(First Revision)</b>	IS : 1221—1957 Specification for dye based fountain pen ink (blue, green, violet, black and red).	This standard prescribes the requirements and the methods of sampling and tests for dye based fountain pen inks. (Price Rs. 4.00)
4.	IS : 1331—1971 Specification for cut sizes of timber. <b>(Second Revision)</b>	(i) IS : 1331—1966 Specification for cut sizes of timber. (ii) IS : 1629—1960 Rules for grading of cut sizes of timber.	The standard covers specification of converted timber normally stocked in timber depot both for structural and non-structural purposes. (Price Rs. 4.00)
5.	IS : 1660 (Part III)—1972 Specification for wrought aluminium utensils Part III Pans Patty (Jelly Mould) for baking.	—	This standard covers requirements for pans patty (jelly mould) for baking. (Price Rs. 3.00).
6.	**IS : 1830—1971 Technical supply conditions for milling cutters. <b>(First Revision)</b>	IS : 1830—1961 General requirements for milling cutters.	This standard covers terminology, material and other requirements for milling cutters. Also gives recommendation for selection of proper 'tool type'. (Price Rs. 5.50)
7.	IS : 1885 (Part XXXII)—1971 Electro-technical vocabulary Part XXXII cables, conductors and accessories for electricity supply.	IS : 1591—1960 Glossary of terms for cables, conductors and accessories.	This standard defines the terms used in Indian Standards relating to electrical cables, conductors and accessories. (Price Rs. 5.00)
8.	IS : 1885 (Part XXXIII)—1972 Electro-technical vocabulary Part XXXIII Piezo-electric filters.	—	This standard covers the definitions of terms applicable to piezo-electric filters. (Price Rs. 2.50)
9.	IS : 2171—1972 Specification for portable fire extinguishers, dry powder type. <b>(First Revision)</b>	IS : 2171—1962 Specification for portable fire extinguishers, dry powder type.	This standard lays down requirements regarding material, shape, construction, dry powder and tests of portable fire extinguishers of dry powder type. (Price Rs. 5.00)
10.	IS : 2198—1971 Specification for flax webbing for aeronautical purposes. <b>(First Revision)</b>	IS : 2198—1962 Specification for flax webbing for aircraft safety belts and harnesses.	This standard prescribes constructional particulars and other details of flax webbing for safety and parachute harnesses. (Price Rs. 3.50)
11.	IS : 2501—1972 Specification for copper tubes for general engineering purposes. <b>(First Revision)</b>	IS : 2501—1963 Specification for copper tubes for general engineering purposes.	This standard prescribes the requirements for solid drawn copper tubes for general engineering purposes. (Price Rs. 2.50)
12.	†IS : 2669—1971 Specification for woodruff keyslot milling cutters with parallel shank. <b>(First Revision)</b>	IS : 2669—1964 Specification for milling cutters for woodruff keyslots.	This standard lays down dimension and requirements for woodruff keyslot milling cutters with parallel shanks suitable for keyslots conforming to IS : 2294—1963 Woodruff keys and keyslots. (Price Rs. 3.00)

\* For purposes of ISI Certification Marks Scheme, IS : 1221—1971 shall come into force with effect from 1st September, 1972.

\*\* For purposes of ISI Certification Marks Scheme, IS : 1830—1971 shall come into force with effect from 1st December, 1973.

† For purposes of ISI Certification Marks Scheme, IS : 2669—1971 shall come into force with effect from 1st December, 1972.

(1)	(2)	(3)	(4)
13. IS : 2720 (Part XIII)—1972 Methods of test for soils Part XIII Direct shear test. (First Revision)	IS : 2720 (Part XIII)—1965 Methods of test for soils Part XIII Direct shear test.	—	This standard covers the method for the determination by direct shear, the shear strength of soils with a maximum particle size by 4.75 mm. (Price Rs. 4.00)
14. *IS : 3715 (Part I)—1971 Letter symbols for semiconductor devices Part I General aspects. (First Revision)	—	—	This standard covers general aspects and rules for devising letter symbols to be used for semiconductor devices (including integrated circuits). (Price Rs. 6.50)
15. IS : 4839 (Part II)—1971 Code of Practice for maintenance of canals Part II lined canals.	—	—	This standard covers the maintenance and repair of lined canals. (Price Rs. 2.00)
16. IS : 6182—1971 Dimensions for dental cable arm.	—	—	This standard covers essential dimensions of the cable arm. (Price Rs. 3.00)
17. IS : 6183—1971 Dimensions for dental section arm.	—	—	This standard covers essential dimensions of the dental section arm. (Price Rs. 3.00)
18. IS : 6213 (Part IV)—1971 Methods of test for pulp Part IV. Determination of viscosity of pulp.	—	—	This standard prescribes the methods of test for determination of viscosity of pulp in cuprammonium and cupriethylenediamine solution. (Price Rs. 5.00)
19. IS : 6318—1971 Specification for plastic window stays and fasteners	—	—	This standard lays down performance and functional requirements of window stays made out of polypropylene and fasteners (handles) made out of nylon. (Price Rs. 3.50)
20. IS:6341—1971 Method of laboratory test for efficacy of wood preservatives against soft rot	—	—	This standard covers the method for determining the relative fungicidal value of wood preservatives against soft rot in the laboratory : (Price Rs. 2.50)
21. IS:6342—1971 Specification for rose wood logs for production of sliced veneers	—	—	This standard covers the minimum requirements for logs of rosewood ( <i>Dalbergia latifolia Roxb.</i> ) for production of sliced rosewood veneers. (Price Rs. 2.50)
22. IS:6346—1971 Method of tests for timber props for mines	—	—	This standard covers the method of physical and mechanical tests required for determining suitability of timber meant for use in mines (Price Rs. 5.00)
23. **IS:6352—1971 Specification for slot milling cutters with parallel shanks	—	—	This standard lays down dimensions and requirements for slot milling cutters with parallel shanks. (Price Rs. 3.00)
24. **IS:6353—1971 Specification for end mills with parallel shanks	—	—	This standard lays down dimensions and requirements for end mills with parallel shanks. (Price Rs. 3.00)
25. **IS:6354—1971 Specification for end mills with morse taper shanks	—	—	This standard lays down dimensions and requirements for end mills with morse taper shanks. (Price Rs. 3.00)
26. IS:6374—1971 Specification for hexagonal box wrenches (Spanners)	—	—	This standard lays down dimensions and requirements for hexagonal box wrenches (Spanners) (Price Rs. 3.00)
27. IS:6366—1971 Specification for sprue plugs for use in foundries	—	—	This standard covers requirements for sprue plugs for use in foundries (Price Rs. 3.00)
28. IS:6377—1971 Specification for mallets for use in foundries	—	—	This standard covers the requirements for mallets for use in foundries (Price Rs. 3.00)
29. **IS:6388—1971 Specification for slot milling cutters with morse taper shanks	—	—	This standard lays down dimensions and requirements for slot milling cutters with taper shanks (Price Rs. 3.00)

\* IS : 3715 is being issued in four parts, as such IS : 3715—1966 shall be deemed to have been withdrawn after issue of all the parts.

\*\* For purposes of ISI Certification Marks Scheme, IS : 6352—1971, IS : 6353—1971, IS : 6354—1971 and IS : 6388—1971 shall come into force with effect from 1st December, 1973.

(1)	(2)	(3)	(4)
30. IS:6419—1971 Specification for welding rods and bare electrodes for gas shielded arc welding of structural steels	IS:2680—1964 Specification for filler rods and wires for inert gas tungsten arc welding	This standard prescribes the requirements of solid filler rods and wires for welding structural steels by inert gas tungsten arc welding (TIG), gas metal arc, welding (MIG) or CO <sub>2</sub> welding processes. The chemical composition of filler rods and wires is also specified	(Price Rs. 4.00)
31. IS:6420—1972 Specification for retractor, eye lachrymal sac (Muller's pattern)	—	This standard specifies dimensional and other requirements for lachrymal sac retractor used in eye surgery	(Price Rs. 3.00)
32. IS:6427—1972 Glossary of terms relating to pile driving equipment	—	This glossary covers definitions of terms relating to pile driving equipment and pile driving operations	(Price Rs. 2.50)
33. IS:6428—1972 Specification for pile frame	—	This standard specifies heights of pile frame and the minimum weight of hammer and the pile that the frame shall be able to take safely.	(Price Rs. 1.50)
34. IS:6433—1972 Specification for guniting equipment	—	This standard lays down the requirements for sizes, dimensions and performance of concrete guniting equipment	(Price Rs. 2.50)
35. IS:6435—1971 Specification for strippers, tendon	—	This standard specifies dimensional and other requirements of tendon strippers used in surgery	(Price Rs. 3.00)
36. IS:6464—1972 Specification for tuning forks (Gardiner Brown's Pattern)	—	This standard specifies dimensional and other requirements of set of tuning forks (Gardiner Brown's pattern) used by surgeons as diagnostic equipment	(Price Rs. 3.00)
37. IS:6469—1972 Specification for harpoons trocar (Tilley's pattern)	—	This standard specifies dimensional and other requirements of Tilley's harpoon a tracar used ENT surgeons for breaking down wall in antrum surgery	(Price Rs. 3.00)
38. IS:6470—1972 Specification for politzerization apparatus (Pritchard's pattern)	—	This standard specifies dimensional and performance requirements of Pritchard's politzerization apparatus used by ENT surgeons	(Price Rs. 3.00)
39. IS:6485—1972 Specification for forceps, gouge angular, orthopaedic	—	This standard lays down the dimensions and other requirements for gouge forceps, angular type used in orthopaedic surgery	(Price Rs. 3.00)
40. IS:6488—1972 Specification for cotton webbing for personal web equipment	—	This standard prescribes requirements of various types of cotton webbings used in the manufacture of various types of personal web equipment, carrier manpack, cooking utensils, waterproof capes, snow shoes, map cases, holdalls, stretcher bags, etc.	(Price Rs. 3.50)
41. IS:6534—1971 Guiding principles for grading and inspection of timber	—	This standard covers the general principles to be followed when preparing specifications on grading timber and timber products actually grading such material in the field and also covers rules for inspection and other matters related to such grading	(Price Rs. 3.50)

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) 'Sadhana' Nurmohamed Shaikh Marg, Ahmedabad, (ii) F Block, Unity Bldg, Nar simharaja Square, Bangalore 2, (iii) Novelty Chambers, Grant Road, Bombay-7, (iv) 5 Chowinghee Approach Calcutta-13, (v) 5-9-201/2-A (First Floor), Chirag Ali Lane, Hyderabad-1, (vi) 117/418 B Sarvodaya Nagar, Kanpur 5 and (vii) 54 General Patters Road, Madras-2

[No. CMD/13:2]

D. DAS GUPTA, Deputy Director General

पेट्रोलियम और रसायन मंत्रालय  
(पेट्रोलियम विभाग)

नई दिल्ली, 21 फरवरी, 1974

का० आ० 890 :—यतः पेट्रोलियम, पाइपलाइन (भूमि) उपयोग के अधिकार का अर्जित अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन तथा खान और धातु मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० मं० 2026 तारीख 6-7-1973 द्वारा केन्द्रीय सरकार ने उग्र अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग को पाइप लाइनों को बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सकाम प्राधिकारों के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन गरकार का रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर यिचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनियन किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुये केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बायां तेल और प्राकृतिक गैस आयोग में सभी बंधकों से मुक्त है में, इग घोषणा के प्रकाशन की इस तारीख को निहित होगा।

ओर, आगे उम धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुये केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बायां तेल और प्राकृतिक गैस आयोग में सभी बंधकों से मुक्त है में, इग घोषणा के प्रकाशन की इस तारीख को निहित होगा।

भूमि

सानन्द 14 रो प्र० आर्द्ध० पी के निकट जी० जी० ए० तक पाइप लाइन बिछाने के लिये

राज्य: गुजरात	ज़िला: महसाना	तालुका: कडिकोलाम	रेक्टर प्र० आर पी० ए०		
गाव	सर्वेक्षण संख्या	रेक्टर प्र० आर पी० ए०	हेक्टर	ए० आर पी० ए०	हेक्टर
थोल	1423	0	07	93	
काजीपुर	615/1/जी०	0	06	59	
	615/1 ए०	0	16	59	
	कार्ट ट्रैक	0	00	85	
इलाका न०					
भीमासन	17	0	22	57	
	15	0	01	22	
	18	0	07	44	
	22	0	03	42	
	23	0	14	64	
	26	0	05	73	
	29	0	06	71	
	Cart Track	0	00	50	
	31	0	13	55	
	32	0	04	51	
	44	0	17	21	
	48	0	10	86	
	46	0	01	95	

[मं० 11/4/72-ए० ए० ए०]  
बी० आर० भला, ग्रवर सचिव

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum)

New Delhi, the 21st February, 1974

S. O. 890.—WHERAS by a notification of the Govt. of India in the Ministry of Petroleum and Chemicals (Department of Petroleum) S.O.No. 2026 dated 6-7-73 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

AND WHEREAS the Competent Authority has under sub section (1) of section 6 of the said Act, submitted report to the Government;

AND FURTHER WHEREAS the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

NOW THEREFORE in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

AND FURTHER in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

For Pipeline from Sanand-14 to G.G.S. Near S.I.P.

State: Gujarat Dist :Mehsana Taluka : Kadi/Kalol

Village	Survey No.	Hectare	Are	P.Ac
THOL	1423	0	07	93
KAJIPUR	615/1/B	0	06	59
	615/1/A	0	16	59
	Cart Track	0	00	85
BHIMASAN	17	0	22	57
	15	0	01	22
	18	0	07	44
	22	0	03	42
	23	0	14	64
	26	0	05	73
	29	0	06	71
	Cart Track	0	00	50
	31	0	13	55
	32	0	04	51
	44	0	17	21
	48	0	10	86
	46	0	01	95

[No.11/4/72-L&L]

B.R.BHALA,  
Under secretary,

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 23 मार्च, 1974

का० आ० 891.—भारतीय चिकित्सा परियद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ब) के उप-बन्धों का अनुसार करने हुए दा० जयन्त भगवान दाम हरिभक्ति के स्थान पर जो उत्तर अधिनियम की धारा 7 की उपधारा (3) के अधीन अब दा० परियद के सदस्य नहीं रहे, दा० रविंद्र भाई मुल्ली भाई औली गम्बरी बी० ए०, ए० ए०, डी०, फैकल्टी शाव भैरविनित गुजरात विश्वविद्यालय



अन्य स्कैत्रीय केन्द्रों में किसी पद पर, किसी विशेष टाइप या किसी उच्चतर टाइप के वास के मुसंग उपलब्धियाँ लगातार प्राप्त करता रहा है;

परन्तु ऐसे अधिकारी की दशा में, जो देहरादून, या कोयम्बतूर या बगलौर में कुपि मंत्रालय के अधीन किसी कागदालय में निवेश सेवा पर प्रतिनियुक्ति पर है, उसके बान अनुसंधान संस्थान और महाविद्यालय, देहरादून या वन अनुसंधान प्रयोगशाला, बंगलौर या दक्षिण थन गाँजक और वन अनुसंधान केन्द्र, कोयम्बतूर में पुनः तैनात होने पर उसकी पूर्विकता-तारीख के अवधारण के प्रयोगन के लिए विशेष सेवा का अधिक सम्मिलिन की जाएगी :

परन्तु और यह कि टाइप 1, 2 या 3 आवास की बाबत यह तारीख, जिसमें अधिकारी पात्र पद पर लगातार सेवान करता है, उस टाइप के लिए उसकी पूर्विकता तारीख होगी :

परन्तु यह भी कि जहाँ दो या अधिक अधिकारी की पूर्विकता-तारीख एक ही हो, वहाँ उनके बीच ज्येष्ठना का अवधारण, उपलब्धियों की राशि, द्वारा अप्रति, उच्चतर उपलब्धिया प्राप्त करने वाला अधिकारी न्यूनतम उपलब्धियों प्राप्त करने वाले अधिकारी से अप्रता प्राप्त करेगा, और जहाँ उपलब्धिया भरावर हो, वहाँ पात्र पद में सेवा का द्वारा किया जायेगा :

(ज) "अनुग्रहित शुल्क" में इन नियमों के अधीन आवंटन आवास की बाबत सूल नियमों के उपलब्धों के अनुसार मासिक देय धन की राशि अभिवेत है;

(ट) "आवास" में वन्मय मादा अधिकारी के प्रशासनिक नियंत्रण अधीन ऐसा आवास अभिवेत है जो इन नियमों में उपायद अनुसूची में यथा वित्तिश्चिद है;

(ठ) "शिक्षी देना" में आवंटित द्वारा किसी अन्य व्यक्ति के साथ एसे श्रव्य व्यक्ति द्वारा अनुज्ञित शुल्क की अदायगी पर या विना अदायगी के वास-मुक्तिधा में अंश बटाना सम्मिलिन है।

**स्पष्टीकरण** :—किसी आवाटी के निकट संवंधी के साथ वाग-मुक्तिधा में अंश बटाने को शिक्षी देना नहीं समझा जाएगा;

(ड) "अस्थायी स्थानान्तरण" में ऐसा स्थानान्तरण अभिवेत है जिसमें चार माह से अनन्त्रिक की अवधि के लिए अनुपस्थित हो;

(इ) "स्थानान्तरण" में देहरादून या कोयम्बतूर या बंगलौर से निसी अन्य स्थान को या किसी पद से अपात्र पद को स्थानान्तरण अभिवेत है और उसमें किसी राज्य सरकार के अधीन या सद्य राज्य क्षेत्र प्रशासन के अधीन सेवा में स्थानान्तरण या पारावर्तन और किसी पद पर प्रतिनियुक्ति भी सम्मिलिन है;

(ण) किसी अधिकारी के संबंध में "टाइप" से आवास की यह टाइप अभिवेत है जिसके लिए वह प्रनु० निं० 317-कठ ४ के प्रधीन पात्र है।

उत्ति और पन्नी का आवंटन—ऐसे अधिकारियों की दशा में जो एक द्वूपर से विवरित है, पात्रना—

प्रनु० निं० 317-कठ ३ :

(१) किसी अधिकारी को, इन नियमों के अधीन, तब तक आवास आवंटन नहीं किया जाएगा, यदि यथात्मिति, अधिकारी की पत्ती या पति को पहले ही आवास आवंटित किया जा चुका है, जब तक ऐसा आवास अस्थित नहीं कर किया जाता :

परन्तु यह उपनियम वहाँ लागू नहीं होगा जहाँ पति और पत्ती किसी विधि न्यायालय द्वारा किए गए न्यायिक-पृष्ठकरण के आवेदन के अनुसार में श्रलग श्रलग रह रहे हैं या जहाँ पृष्ठकरण के लिए न्यायिक कार्यवाहियों विधि न्यायालय के विचाराधीन हों।

(२) जहाँ ऐसे दो अधिकारी जो इन नियमों के अधीन आवंटन पथक आवासों पर दखल किए हुए हैं, एक द्वूपर से विवाह कर लेते हैं, वहाँ वे एसे अपने विवाह के एक मास के भीतर आवासों में से एक का अस्थित कर देंगे।

(३) यदि उपनियम (२) द्वारा यथापेक्षित आवासों में से एक को अस्थित नहीं किया जाता है, तो ऐसा अवधि की समस्ति पर निम्नतर टाइप के अधारान का आवंटन रद्द कर, दिया गया समस्ता जाएगा और यदि दोनों आवास एक ही टाइप के हैं, तो उनमें से ऐसे एक का आवंटन ऐसा संपदा अधिकारी विनिष्टय करें, पेसी अवधि की समाप्ति पर रद्द कर दिया गया समस्ता जाएगा।

(४) जहाँ पति और पत्ती दोनों उर्दी नगर में पात्र पद में नियंत्रित हों, तो इन नियमों के अधीन आवास के आवंटन के लिए प्रत्येक के हक पर स्वतन्त्र रूप से विचार किया जायेगा।

**आवासों का वर्गीकरण—प्रनु० निं० 317-कठ ४**

(१) इन नियमों द्वारा यथा अन्यथा उपलब्धित के सिवाए, कोई अधिक या नीचे सारणी में उपर्योगित टाइप के आधारान के आवंटन के लिए पात्र नहीं। वह अनुसंधान संस्थान और महाविद्यालय, देहरादून।

#### सारणी

आवास	आवास का नाम	आवास की संख्या	अधिकारी का प्रवर्ग या उस आवंटन वर्ष के प्रथम दिन में जिसमें उसे आवंटन किया गया है, उसकी मासिक उपलब्धियाँ
—	—	—	—
1	2	3	4

I. वर्ग 4 क्षाटर्स	III-एक मंजिल	110 रु० से कम 40-दो मंजिल
--------------------	--------------	---------------------------

II. मार्कट क्षाटर्स	11)	40 } 70 110 से 249 रु० तक 28 ]
---------------------	-----	--------------------------------

III. 'ब' टाइप क्षाटर्स	6.5)	'ग' टाइप क्षाटर्स 42 } 12.3 250 से 575 रु० तक टाइप III क्षाटर्स 8 } 'च' टाइप क्षाटर्स 8 ]
------------------------	------	---

IV 'ब' 2 टाइप बंगले	12)	'क' टाइप बंगले 11   'ड' टाइप बंगले 12   49 350 से 900 रु० तक बंगला में अ-II के मासने अस्थायी मकान 2 } 'च' टाइप क्षाटर्स 12 ]
---------------------	-----	--

V 'ग' टाइप बंगले	14)	'ब' टाइप बंगले 6 } 21 700 से 899 रु० तक अनु कुटीर (नगर सीधगान) 1 ]
------------------	-----	--

गृह निष्काक या मृद्यु राज्य वन कानेज के लिए आरक्षित।

1	2	3	4
VI.	'ख' टाइप बंगले	13	900 से 1299 रु० तक
VII	'क' टाइप बंगले	4	1300 रु० और उससे ऊपर
VIII.	मध्यका का बंगला सं० 9	1	अध्यक्ष वन अनुसंधान संस्थान और महाविद्यालय के लिए आरक्षित ।
दक्षिणी वन राजिक महाविद्यालय और अनुसंधान केन्द्र, कोयम्बतूर ।			
I.	सेवक ब्लाक	41	110 से कम
II.	क्लॉरेटर का क्वार्टर हवालदार का क्वार्टर (पूर्ण) हवालदार का क्वार्टर (परिचम)	1 1 1 1 5 1 1	10 110 रु० से 249 रु० तक
III.	होस्टल ब्लाक सं० 11	2	250 रु० से 399 रु० तक
IV.	महिला डाक्टर के क्वार्टर मेट्रन के क्वार्टर पुराने कमांडेन्ट का	1 1 1	3 400 रु० से 699 रु० तक
V.	प्रादेशिक शिक्षकों के क्वार्टर इम्पीरियल शिक्षकों के क्वार्टर	3 4	7 700 रु० से 1299 रु० तक
VI.	प्रिसिपल के क्वार्टर	1	1300 रु० और ऊपर
वन अनुसंधान प्रयोगशाला, बंगलौर			
वन अनुसंधान संस्थान और महाविद्यालय, वेहराबून के लिए यथा विहित वर्गीकरण लागू होगा ।			
(2) वन अनुसंधान संस्थान और महाविद्यालय, वेहराबून में सावधिक या आवासानिक अधिकारियों का आवासों की सम्पुत्रित संख्या देने के लिए, अधिकारियों में आवासों का (अध्यक्ष, वन अनुसंधान संस्थान और महा- विद्यालय, वेहराबून के लिए आरक्षित बंगला सं० 9 को छोड़कर) आवंटन निम्न प्रवार होगा ।			
सावधिक वर्ग 1 अधिकारी			
I.	वन-शिक्षा निदेशक और वन विद्या अनुसंधान निदेशक ।	2	टाइप VII बंगले ।
II.	रजिस्ट्रार	1	टाइप VI 'ख' टाइप बंगले
III.	डीन, भारतीय कालेज प्रिसिपल, उत्तरी वन राजिक कालेज प्रचार और संपर्क अधिकारी और ज्येष्ठना निर्भर करने हुए कोई प्रत्य 3 अधिकारी,	6	टाइप VI बंगले
IV.	उप रजिस्ट्रार	1	टाइप V बंगला (ग)
V.	किन्तु 9 अधिकारियों के लिए	6	टाइप V बंगले (ग) 3 योग्यत घ-1
VI.	गृह-शिक्षक या प्रिमिपल राज्य वन महा- विद्यालय ।	1	टाइप V बंगला (मगर में वन कुटीर)
सावधिक वर्ग 1 अधिकारी			
I.	2 निदेशकों के लिए	2	टाइप VII बंगले ।
II.	6 ज्येष्ठ अनुसंधान अधिकारियों के लिए	6	टाइप VI बंगले ।

III.	किन्तु 10 अधिकारियों के लिए	7 टाइप V बंगले (ग) 3 टाइप V बंगले (घ-1)
IV.	किन्तु 3 अधिकारियों के लिए	3 टाइप IV बंगले (घ-2)
V.	सेवा शास्त्र या भारसाधक अधिकारी	1 टाइप IV या बंगला
सावधिक वर्ग 2 अधिकारी		
I.	किन्तु 2 अधिकारियों के लिए (घ-2)	1
II.	किन्तु 5 अधिकारियों के लिए (ड०)	1
III.	किन्तु 3 अधिकारियों के लिए जिसमें लेखा अधिकारी, वन अनुसंधान संस्थान और महाविद्यालय (क) भी सम्मिलित हैं	10 टाइप वाम-सुविधा
सावधिक वर्ग 2 अधिकारी		
I.	किन्तु 6 अधिकारियों के लिए (घ-2)	1
II.	किन्तु 9 अधिकारियों के लिए (ड०)	1
III.	किन्तु 8 अधिकारियों के लिए जिसमें सेवा शास्त्र अधिकारी और सहायक रजिस्ट्रार द्वारा में से प्रत्येक के लिए एक एक सम्मि- लित है (क)	23 टाइप IV वाम-सुविधा
IV.	किन्तु 12 अधिकारियों के लिए जिसमें व्यायाम प्रशिक्षण और खेल क्लूब अनुदेशक	12 टाइप III क्वार्टर (च टाइप)
V.	नए वन अस्पताल में एक चिकित्सा भार- साधक अधिकारी के लिए	1 सलवन आवास
(3) निम्नलिखित अधिकारियों का निवेश में निवास करना लोक- हित में अपेक्षित हैं,		
(क) वनविद्या अनुसंधान निदेशक (केन्द्रीय मिल्डा) ।		
(ख) वन-शिक्षा निदेशक ।		
(ग) रजिस्ट्रार ।		
(घ) डीन, भारतीय वन महाविद्यालय ।		
(ङ) उप रजिस्ट्रार ।		
(च) प्रिसिपल, उत्तरी वन राजिक महाविद्यालय ।		
(छ) प्रचार और संपर्क अधिकारी ।		
(4) यदि किसी अधिकारी को उसकी ज्येष्ठता के त्रम में उसके हक की वास सुविधा उपलब्ध नहीं की जाती है, तो उसे आवासी न्यूनतम टाइप का आवास आवंटित किया जायेगा और वह उस टाइप के बंगले के लिए, ज्यों ही वह खाली होता है, प्रतीक्षा सूची पर के व्यक्तियों पर अधिकारान्वयन प्राप्त करेगा ।		
(5) निम्नलिखित पदों के पदधारियों को सावधिक अधिकारी घोषित किया गया समझा जायेगा ।		
वन अनुसंधान संस्थान और महाविद्यालय वेहराबून		
क्रम सं०	पद	परिणामित वेसनमान
1	2	3
1.	वन शिक्षा निदेशक	1300-60-1600-100- 1800
2.	वनविद्या अनुसंधान निदेशक ।	1300-60-1600-100- 1800
3.	डीन, भारतीय वन महाविद्यालय	1300-60-1600-100- 1800
4.	सम्पादक सम्पादकीय मंडल	1300-60-1600-100- 1800
5.	रजिस्ट्रार, वन अनुसंधान और महा- विद्यालय, वेहराबून	1100-50-1400

1	2	3
6.	उप रजिस्ट्रार, वन अनुसन्धान और महा-विद्यालय, देहरादून	700-1250
7.	सहायक शिल्पा (प्रयोगात्मक)	700-1250
8.	गोण वन उत्पाद अधिकारी	700-1250
9.	सहायक वन वृक्ष-वैज्ञानिक (साधारण)	700-1250
10.	प्रिसिपल, उत्तरी वन राजिक महाविद्या-लय	700-1250
11.	लाइंग अधिकारी	700-1250
12.	प्रायापक, भारतीय वन महाविद्यालय	700-1250
13.	अनुदेशक, उत्तरी वन राजिक महाविद्या-लय	700-1250
14.	प्रचार और संपर्क अधिकारी	700-1250
15.	सहायक सम्पादक	700-1250
16.	सेत्रमिति अधिकारी, जब किसी राज्य वन अधिकारी द्वारा प्रतिनियुक्ति के आधार पर धारण किया जाये।	700-1250
17.	वन उपयोग अधिकारी	700-1250
18.	सहायक वन वृक्ष वैज्ञानिक (योजना प्राय-यन)	700-1250
19.	दक्षिणी वन राजिक (सामान फाइलों का संक्षिप्तिकरण)	700-1250
20.	ज्येष्ठ अनुसन्धान अधिकारी (वन-वृक्ष और भूमि अनुभाग)	700-1250
21.	ज्येष्ठ प्रनुसन्धान अधिकारी, प्रायापक, वन जन्तु	700-1250
22.	ज्येष्ठ अनुसन्धान अधिकारी (वन प्राधिक)	700-1250
23.	लेखा अधिकारी	590-900
24.	अनुसन्धान अधिकारी (दक्षिण) जब किसी राज्य वन अधिकारी द्वारा प्रति-नियुक्ति के आधार पर धारण किया जाये।	350-900
25.	सहायक अनुदेशक, उत्तरी वन राजिक महाविद्यालय।	350-900
वक्तिगती वन राजिक महाविद्यालय प्रौद्योगिक वन अनुसन्धान केन्द्र, कोयम्बतूर।		
1.	जीवन-सम्बन्धी अनुसन्धान अध्यक्ष और प्रिसिपल दक्षिणी वन राजिक महाविद्या-लय और वन अनुसन्धान केन्द्र, कोयम्बतूर।	1300-60-1600-100-1800
2.	अनुदेशक, दक्षिणी वन राजिक महा-विद्यालय	700-1250
3.	सहायक अनुदेशक, दक्षिणी वन राजिक महाविद्यालय	350-900

## आवासों का आवंटन और प्रस्थापना

अनु० नि० 312-क ठ 5

(1) इन नियमों में अस्थाया उपबंधित के मिलाये, कोई आवास सामी होने पर संपदा अधिकारी द्वारा निम्नलिखित शब्दों के अधीन रहते हुये ऐसे अधिकारी को, जिसके पास उस टाइप या

उसके समतुल्य टाइप की वास-मुविधा नहीं है, आवंटित किया जायेगा।—

(i) संपदा अधिकारी किसी प्रधिकारी को ऐसे टाइप के आवास से उच्चतर टाइप का आवास आवंटित नहीं करेगे जिसके लिये वह अनु० नि० 317 क ठ 4 के अधीन पात्र है।

(ii) संपदा अधिकारी किसी प्रधिकारी को उस टाइप के आवास से न्यूनतर टाइप के आवास को स्वीकार करने के लिये मजबूर नहीं करेगा जिसके लिये वह अनु० नि० 317 क ठ 4 के अधीन पात्र है।

(iii) यदि समुचित टाइप की वास-मुविधा उपलब्ध न हो, तो प्रधिकारी के लिये अगली न्यूनतर टाइप के गृह के लिये विचार किया जायेगा और उस टाइप के बंगले के लिये, ज्योंही वह खाली होता है, प्रतीक्षा सूची पर के व्यक्तियों पर वह प्रधिमान्यता प्राप्त करेगा। यदि कोई बंगला अगली न्यूनतर टाइप में उपलब्ध नहीं है, तो प्रधिकारी को छ: मास की अधिकतम अवधि के लिये अस्थायी रूप से किसी न्यूनतर टाइप में कोई खाली मुविधा दी जा सकेगी। उस अवधि के दौरान वास-मुविधा के लिये उसे अपना प्रबन्ध करना होगा ताकि ऐसी अवधि की समाप्ति पर, यदि वह नियमित आधार पर अपने द्रक के या अगली निवासी टाइप के आवास प्राप्त नहीं करना है, तो उसे उक्त अस्थायी वास-मुविधा को खाली करना होगा।

(2) संपदा अधिकारी किसी अधिकारी का विद्यमान आवंटन रद्द कर मकेगा और उसके बदले उसे उसी टाइप का आवास या आपात परिस्थितियों में उस आवास के बदले जिसे अधिकारी ने दखल किया हुआ है, और जिसको खाली करना प्रवेक्षित है, अगली निवासी टाइप का आवास आवंटित कर सकेगा।

(3) कोई खाली आवास, उप नियम (1) के अधीन किसी अधिकारी की आवंटित करने के अतिरिक्त अन्य पात्र अधिकारी को भी उनकी पूर्विकता तारीख के द्रष्टव्य में, साथ साथ दिया जा सकेगा। विनापारी आवंटन-अनु० नि० 317 क ठ 6

संपदा अधिकारी निम्नलिखित परिस्थितियों में, किसी अधिकारी के पुत्र या पुत्री या पत्नी (पात्र पद के कर्मचारी) के नाम विनापारी आवंटन कर सकेगा:—

(i) अधिकारी की मृत्यु होने पर।

(ii) किसी अधिकारी की, उसकी उन्मत्तता के कारण, सेवा की समाप्ति पर, या उन अन्य परिस्थितियों में जब कि उसने कुटुम्ब को विपिस में छोड़ दिया हो।

परन्तु यदि अधिकारी का पुत्र, पुत्री या पत्नी किसी पात्र पद पर नियुक्त की जाती है और अपने बेटे के आधान पर वह अपने द्वारा पहले से ही दखल किये गये टाइप के आवास के आवंटन की हकदार हो, तो उसे वह आवास आवंटित किया जायेगा और अन्य मामलों में उसे ऐसे टाइप का आवास आवंटित किया जायेगा जिसके लिये वह अपने द्वारा प्राप्त उपलब्धियों के आधार पर हकदार हो;

परन्तु और यह कि इस नियम के अधीन कोई आवंटन अधिकारी के पुत्र या पुत्री के नाम तक नहीं किया जायेगा जब तक वह खंड (ii) में उल्लिखित परिस्थितियों में अधिकारी की मृत्यु या अधिकारी की सेवा की समाप्ति के द्रष्टव्य छ: मास की प्रधिकारी के आवास प्रधिकारी के साथ न रहा हो/रही हो। आवंटन या उसकी प्रस्थापना की अस्थायीता या स्वीकृति के पश्चात् आवंटित आवास के दखल करने में असफलता अनु० नि० 317 क ठ 7 (1) यदि कोई अधिकारी आवंटन आवेदन की पत्रि से

पांच दिन के भीतर आवास के आवंटन को स्वीकार करने में असफल रहता है, या स्वीकृति के पश्चात् आवंटन के आवेदन की प्राप्ति की तारीख से आठ दिन के भीतर उम आवास का कब्जा लेने में असफल रहता है, तो यह आवंटन (पत्र) आवेदन की तारीख से एक वर्ष की अवधि के लिये अन्य आवास के आवंटन के लिये पात्र नहीं होगा।

(2) यदि किसी अधिकारी द्वारा, जिसके पास न्यूनतर टाइप का आवास है, ऐसे टाइप का आवास आवंटित या प्रस्थापित किया जाता है तिसके लिये वह भन्तु ० निं० ३१७ के ठ ४ के प्रधीन पात्र है, तो उसे उक्त आवंटन या आवंटन की प्रस्थापना के इकार करने पर निम्नलिखित शर्तों पर पूर्व आवंटित आवास में रहने दिया जा सकेगा, प्रथमतः—

(क) कि ऐसा अधिकारी, उच्चतर वर्ग की वास सुविधा के लिये आवंटन (पत्र) आवेदन की तारीख से लः मास की अवधि के लिये अन्य आवंटन के लिये पात्र नहीं होगा;

(ख) विधमान आवास रखने के बौगत, उसे उसी अनुज्ञाति शुल्क से जो उसे य० निं० ४५ के प्रधीन इस प्रकार आवंटित या प्रस्थापित आवास की बाबत बेना पड़ना या पहले से ही उसके कानूनी आवास की बाबत देय अनुज्ञाति शुल्क में, जो भी उच्चतर हो, प्रभागित किया जायेगा।

वह अवधि जिसके लिये आवंटन प्रस्ताव में रहता है तथा और रखने के लिये रियायती अवधि अन्तु ० निं० ३१७ के ठ ४:

(1) आवंटन उम तारीख से प्रभावी होगा जिसको वह अधिकारी द्वारा स्वीकार किया जाता है और वह उस तक प्रवृत्त रहेगा जब तक:

(क) पात्र पद में अधिकारी का वर्तव्य करना बन्द करने के पश्चात् उपचांड (2) के अधीन अनुज्ञेय रियायती अवधि की समाप्ति नहीं होती है या

(ख) संपत्ति अधिकारी द्वारा रद्द नहीं कर दिया जाता है या इन नियमों के किसी उपबन्ध के अधीन रद्द नहीं कर दिया गया समझा जाता है, या

(ग) अधिकारी द्वारा समर्पित नहीं कर दिया जाता है, या

(घ) अधिकारी आवास पर बखल बन्द नहीं कर देता है।

(2) किसी अधिकारी को आवंटित आवास, उपनियम (3) के प्रधीन रहते हुये, नीचे दी गई मारणी के स्तम्भ १ में विनिर्दिष्ट घटनाओं में से किसी के होने पर, उसके स्तम्भ २ में तत्पत्तानी प्रविष्टि में विनिर्दिष्ट अवधि के लिये रखा जा सकेगा, परन्तु यह तब जब कि आवास अधिकारी या उसके कुटुम्ब के सदस्यों के मद्भावपूर्ण उपयोग के लिये अपेक्षित हो।

### सारणी

घटनाएँ	आवास के प्रतिधारण के लिये अनुज्ञेय अवधि
--------	---

1	2
i. स्थायपत्र, परच्युति, हटाया जाना या सेवा की समाप्ति या बिना आज्ञा के अवधिकृत अनुपन्थिति	1 मास
ii. सेवानिवृत्ति या सेवान छुट्टी	2 मास
iii. आवंटित की मृत्यु	4 मास
iv. देहगदून या बंगलीर या कोयम्बसूर बाहर किसी स्थान को स्थानान्तरण	2 मास

1	2
v. देहगदून या कोयम्बन्तर या बंगलीर में किसी अपाक्र पर पर स्थानान्तरण	2 मास
vi. भारत में विदेश सेवा पर जाने पर	2 मास
vii. भारत में अस्थाई स्थानान्तरण या भारत के बाहर किसी स्थान को स्थानान्तरण	4 मास
viii. छुट्टी (सेवा निवृत्तिपूर्व सूटी, अन्यौक्ति के बाहर किसी स्थान पर छुट्टी या अध्ययनार्थ छुट्टी से भिन्न)	छुट्टी की अवधि के लिये किन्तु 4 मास से अनधिक।
ix. सेवा निवृत्तिपूर्व छुट्टी या भू०नि० ४६ के अधीन अनुदान अस्थीकृत छुट्टी।	अधिकतम 4 मास जिसमें भेवा निवृत्ति की वशा में अनुज्ञेय अवधि भी सम्मिलित है, के अधीन रहने हुए पूर्ण औमन बेवन पर छुट्टी की पूरी अवधि के लिये।
x. अध्ययनार्थ छुट्टी या भारत के बाहर प्रतिनियुक्ति।	छुट्टी की अवधि के लिये किन्तु 6 मास से अनधिक।
xi. भारत में अध्ययनार्थ छुट्टी	छुट्टी की अवधि के लिये किन्तु 6 मास से अनधिक।
xii. चिकित्सा के आधार पर छुट्टी	छुट्टी की पूरी अवधि के लिये।
xiii. प्रशिक्षण के लिये जाने पर।	प्रशिक्षण की पूरी अवधि के लिये।

**स्पष्टीकरण:**—गारणी के मद (iv), (v) और (vii) के सामने उल्लिखित स्थानान्तरण पर अनुज्ञेय अवधि, छुट्टी की अवधि, यदि कोई हो, जो नये कार्यालय पर भार संभालने से पूर्व किसी अधिकारी को मंजूरी की गई है और उसके द्वारा उपरोक्ति की गई हो, सहित भारत छोड़ने की तारीख से गिनी जायेगी। (3) जहां कोई आवास उपनियम (2) के अधीन रोका जाता है तो अनुज्ञेय रियायती अवधि की समाप्ति पर जब तक उसकी समाप्ति पर तुरन्त अधिकारी पात्र पर कर्तव्य ग्रहण नहीं करना, रह कर दिया गया समझा जायेगा।

(4) ऐसा अधिकारी जिसने उपनियम (2) के नीचे गारणी के मद (I) और मद (II) के अधीन रियायत के नामे आवास का प्रतिधारण किया है, उक्त गारणी में विनिर्दिष्ट अवधि के भीतर पात्र पद पर पुनः नियोजित होने पर उम आवास के प्रतिधारण करने का हकदार हो जायेगा और वह इन नियमों के प्रधीन आवास के किसी और आवंटन के लिये भी पात्र होगा :

परन्तु यदि ऐसे पुनर्नियोजन पर अधिकारी की उपनियम उम द्वारा प्रतिभूत आवास की टाइप के लिये उसे हकदार नहीं बनाती तो उसे निम्नतर टाइप का आवास आवंटित किया जायेगा।

(5) उपनियम (2) या उपनियम (3) या उपनियम (4) में किसी बात के होने हुये भी, जब कोई अधिकारी सेवा से पदच्युत किया जाता है या हटाया जाता है या जब उसकी सेवायें समाप्त कर दी गई हो और उस पद के बाबत जिसमें ऐसा अधिकारी ऐसी अपश्युति, हटाये जाने या समाप्ति से ठीक पूर्व नियोजित था, विभागाध्यक्ष का यह समाधान हो जाता है कि ऐसा करना स्वेच्छियता के लिये गये आवास का

आवंटन तत्काल या उपर्युक्तम् (2) के नीचे सारणी के मध्य (1) में निर्देशित एक माम की अवधि की समाप्ति से पहले ऐसी तारीख से जो वह विनिविष्ट करे, आवास का आवंटन रद्द करने की अपेक्षा कर सकेगा और संपदा अधिकारी तदनुसार कार्यवाही करेगा।

अनुज्ञित शुल्क से संबंधित उपवर्त्त—अनु० नि० 317—क ठ—9 :

(1) जहाँ वास-मुविधा या वैकल्पिक वास-मुविधा का आवंटन स्वीकार कर दिया जाता है वहाँ अनुज्ञित शुल्क के लिए दायित्व स्वीकृति की तारीख से प्रारंभ होगा।

(2) ऐसे अधिकारी पर जो स्वीकृति के पश्चात् आवंटन आवास की प्राप्ति की तारीख से आट दिन के अन्दर उम वास-मुविधा पर कड़ा केने में असफल रहता है, अनुज्ञित शुल्क ऐसी तारीख से एक मास की अवधि तक या वास-मुविधा के पुनः आवंटन की तारीख तक, इन में से जो भी पूर्वतर हो, प्रभाग्नि होगा।

(3) वह अधिकारी जिसे आवास आवंटन कर दिया गया है, अनुज्ञित शुल्क के साथ साथ समय समय पर मत्रा नियत किए गए जब और अन्य मकाई व्यवहार के दायी होगा।

(4) जहाँ किसी अधिकारी को, जिसके द्वारा में काई आवास है, अन्य आवास आवंटन किया जाता है और वह आवास पर दब्लू कर देना है वहाँ नए आवास पर दब्लू करने की तारीख से पहले के नए आवास का आवंटन रद्द कर दिया गया समझा जाएगा। तथापि, वह, स्थानान्तर करने के लिए उम दिन और अगले दिन के लिए अनुज्ञित शुल्क की प्रदायगी के बिना पूर्वतर आवास का प्रतिभारण कर सकेगा।

जब तक आवास खाली नहीं किया जाता, वब तक अनुज्ञित शुल्क की प्रदायगी के लिए अधिकारी का वैयक्तिक दायित्व का होना और प्रस्थायी अधिकारियों द्वारा प्रतिभूत देना—अनु० नि० 317 क ठ—10 :

(1) वह अधिकारी जिसे कोई आवास आवंटन किया गया है उस पर अनुज्ञित शुल्क के लिए और गर्गकार द्वारा उसमें लगाए गए फर्नीचर, फिल्मचर और फिल्म था भेवाओं पर हुई सही टूट-फूट से भिन्न किसी नुकसान उम अवधि के दौरान जिसके लिए आवास उसे आवंटित किया गया है और आवंटन रद्द कर दिया जाता है या जहाँ इन नियमों के उपर्युक्तों में से किसी के अधीन आवंटन रद्द कर दिया जाता है, तब तक वैयक्तिक रूप से दायी होगा, जब तक आवास उसके उपर्युक्त अनुज्ञित आवास की अधीन संवारन सरकारी सेवक को नहीं दे दिया जाता।

(2) जहाँ ऐसा अधिकारी जिसे आवास आवंटन किया गया है, न तो स्थायी है और न ही स्थायीतृत सरकारी सेवक है, वहाँ वह ऐसे आवास, और सेवाओं और उनके बदले दिए गए किसी अन्य आवास की बाबत अनुज्ञित शुल्क और अन्य प्रभारों की प्रदायगी के लिए केन्द्रीय सरकार द्वारा इस नियमित विहित प्रक्रिया में प्रतिभूति अंगपत्र तथा एक प्रतिभूत जो केन्द्रीय सरकार के अधीन संवारन सरकारी सेवक हो, देगा।

(3) यदि प्रतिभूत सरकारी सेवा में नहीं रहता या दिवानिया हो जाता है या अपनी प्रत्यभूति बाप्स ले लेता है या किसी अन्य कारण से उपलब्ध नहीं होता, तो अधिकारी ऐसी घटना या तथ्य का ज्ञान प्राप्त करने की तारीख से तीस दिन के अन्दर किसी अन्य अधिकारी (प्रतिभूत) द्वारा निष्पादित नया बंधपत्र देगा और यदि वह ऐसा करने में असफल रहता है, सो आवास का आवंटन तब तक उम घटना की तारीख से रद्द कर दिया गया समझा जाएगा, जब तक संपदा अधिकारी द्वारा अन्यथा विनिविष्ट न किया जाए।

आवंटन का अस्थर्पण और सूचना की प्रवधि—अनु० नि० 317—क ठ—11 :

कोई अधिकारी सूचना द्वारा, जो संपदा अधिकारी को आवास के खाली करने की तारीख से कम से कम दस दिन पहले पहुंच जाए, किसी भी समय आवंटन का अस्थर्पण कर सकेगा। आवास का आवंटन उस दिन के पश्चात् जिस दिन संपदा अधिकारी द्वारा पत्र प्राप्त किया जाता है, म्याहर्वें दिन से या पत्र में विनिविष्ट तारीख से, जो भी पश्चात्कार्ती हो, रद्द कर दिया गया समझा जाएगा। यदि अधिकारी समयक सूचना देने में असफल रहता है, तो वह दस दिन के लिए या उतने दिनों के लिए जितने से उम द्वारा दी गई सूचना 10 दिन में कम पहली है, तब तक अनुज्ञित शुल्क की प्रदायगी के लिए उत्तरदायी होगा जब तक संपदा अधिकारी लघुपत्र प्रवधि के लिए सूचना स्वीकार नहीं करता।

आवास का परिवर्तन—अनु० नि० 317—क ठ—12 :

(1) वह अधिकारी जिसे इन नियमों के प्रधीन आवास आवंटित किया गया है, उसी टाइप के अन्य आवास के लिए आवेदन दे सकेगा। अधिकारी को आवंटित आवास की एक टाइप की बाबत एक से अधिक परिवर्तन अनुज्ञान नहीं किया जाएगा।

(2) यिसे व्याप्ति में परिवर्तन संपदा अधिकारी के कार्यालय में ऐसे आवेदनों की प्राप्ति के कम में दिये जाएंगे।

(3) यदि आवंटन के ऐसे प्रस्थापन के जारी करने के पांच दिन के भीतर कोई अधिकारी प्रस्थापित आवास का परिवर्तन स्वीकार करने में असफल रहता है, तो उस मामले में उम टाइप के आवास में परिवर्तन करने के लिए पुनः विचार नहीं किया जाएगा।

कुटुंब के किसी सदस्य की मृत्यु की दशा में आवास का परिवर्तन—अनु० नि० 317—क ठ—13 :

अनु० नि० 317 क ठ—12 में अन्विष्ट किसी आप के होते हुए भी, किसी अधिकारी को उसके कुटुंब के किसी सदस्य की मृत्यु पर, उम दशा में आवास का परिवर्तन अनुज्ञापन किया जा सकेगा, जबकि वह ऐसी घटना होने के तीन मास के भीतर परिवर्तन के लिए आवेदन करता है, परन्तु यह होगी कि परिवर्तन उसी टाइप के आवास और उसी संजिल के लिए किया जाएगा जो पहले ही अधिकारी को आवंटित किया गया था।

आवास का पारस्परिक विनियम—अनु० नि० 317 क ठ—14 :

वे अधिकारी जिन्हें इन नियमों के प्रधीन एक ही टाइप के प्रावास आवंटित किए गए हैं, अपने प्रावासों को पारस्परिक रूप से बदलने की अनुज्ञा के लिए आवेदन दे सकेंगे। पारस्परिक रूप से प्रावासों के बदलने के लिए अनुज्ञा तभी दी जा सकेगी जबकि दोनों अधिकारियों से पात्र पत्र पर कर्तव्य में बदले रहता और ऐसे बदले जाने के लिए अनुमोदन की तारीख से कम से कम छः मास के लिए अपने पारस्परिक रूप से बदले गए प्रावासों में रहता युक्तियुक्त प्रत्याशित हो। भिन्न टाइप की वास-मुविधाओं में पारस्परिक रूप से बदलना अनुज्ञान नहीं किया जाएगा।

आवास का अनुरक्षण—अनु० नि० 317—क ठ—15 :

वह अधिकारी जिसे आवास आवंटित किया गया है, यस्तिष्ठित, केन्द्रीय लोक निर्माण विभाग, संपदा अधिकारी और संबद्ध विकित्सा अधिकारी या स्वास्थ्य अधिकारी के समाधानप्रद रूप में आवास और परिसर को स्वच्छ दशा में रखेगा।

ऐसा अधिकारी आवास में संलग्न विरी वाम, अंग या शर्तों में संपदा अरिता या केन्द्रीय और विरी विभाग के अनुदेशों के प्रतिकूल, संपदा अधिकारी एवं पूर्व विभिन्न अनुज्ञा के विवाह न भी पेड़, ज्ञाइयाँ और पैदे लगाया और न ही किसी विद्यालय पेड़ या कार्ड को काटेगा या उसकी कटाई छार्ड करेगा । इस नियम के उल्लंघन में लगाए गए पेड़, वागात, वनस्पतियों संबद्ध अधिकारी की जोखिम और लागत पर संपदा अधिकारी द्वारा हटाकर दी जाएगी । इस प्रकार काटे गए पेड़ और ज्ञाइयों संपदा अधिकारी द्वारा निपटाए जाएंगे ।

आवासों का शिक्षी देना और उनमें अंग बटाना—अनु० नि० 317 क ठ-16 :

(1) कोई अधिकारी किसी अधिकारी के विवाह विस्तृत को उसे आवंटित आवास या उससे गलगत किसी उपगृह, गराज और अस्तबल शिक्षी पर नहीं देगा । सेवकों के विवाहों, उपगृह और गराज केवल गद्देश्वरपूर्ण प्रयोजनों विभाग आवंटित के सेवकों का आवास भी सम्मिलित है या संपदा अधिकारी द्वारा अनुज्ञात ऐसे अन्य प्रयोजनों के लिए प्रयुक्त किए जा सकेंगे ।

(2) कोई भी अधिकारी अपने आवास को पूरा शिक्षी पर नहीं देगा :

परन्तु छूटटी पर जाने वाला अधिकारी किसी अन्य अधिकारी को, जो सरकारी वाम-सुविधा में अंग पाने का पात्र हो, रखायाँने के रूप में, अनु० नि० 317 क ठ ४ के उपनियम (2) में विनियोजित अवधि के लिए जो छः मास से अधिक होगी, आवास में स्थान दे सकेगा ।

(3) वह अधिकारी जो अपने आवास में अंग बटाता है या शिक्षी देता है, ऐसा अपने जोखिम और दायित्व पर करेगा और वह आवास की बावजूद देय अनुशासित शुल्क और आवास या हमकी प्रसीमाओं या भूमि की या उगमें सरकार द्वारा दी गई सेवाओं को ठीक ठीक विसार्थ से भिन्न किसी नुकसान के लिए व्येष्टिक रूप में दायी होगा ।

नियमों और शर्तों के भंग के परिणाम—अनु० नि० 317—क ठ-18 :

यदि कोई अधिकारी जिसे कोई आवास आवंटित किया गया है आवास को अप्राधिकृत रूप से शिक्षी देता है या अंग पाने वाले संपत्ति वर पर अनुशासित शुल्क देता है जो रापदा अधिकारी के विचार में अधिक है या आवास के किसी भाग में कोई अप्राधिकृत संन्याना करता है या आवास या उसका कोई भाग किही ऐसे प्रयोजनों से भिन्न प्रयोजनों के लिए प्रयुक्त करता है जिसके लिए वह है या विश्वली अथवा पानी के कन्कशों का विपाड़ना है या आवंटन के नियमों या निवासों और शर्तों का कोई अन्य भंग करता है या आवाग अथवा परिमर्दों को ऐसे प्रयोजनों के लिए प्रयुक्त करता है या करने की अनुज्ञा देता है जो संपदा अधिकारी के विचार में अनुचित है या इस प्रकार का आचरण करता है जो उग (संपदा अधिकारी) की गय में उसके पढ़ीमियों के भाष्य संमंजस्यपूर्ण संबंधों के अनुरक्षण पर प्रतिकूल प्रभाव डालते हैं या आवंटन करने के उद्देश से किसी आवेदन या लिखित बधान में जानवराशकर गत्ता सूचना दी है, तो संपदा अधिकारी, किसी अन्य अनुशासनिक कार्यवाही पर जो उसके विमुद की जा सकेगी, प्रतिकूल प्रभाव डाले विना आवास का आवंटन रद्द कर सकेगा ।

स्पष्टीकरण :—इस उपनियम में 'अधिकारी' अभिव्यक्ति में उसके छूटटी का सदस्य और अधिकारी के माध्यम से दाया करने वाला कोई अन्य अभिव्यक्ति भी सम्मिलित है ।

1, 1974/CHAITRA 16, 1896

[PART II—

(2) यदि कोई अधिकारी उसे आवंटित आवास या उसका कोई भाग या उसे संलग्न कोई उपगृह, गराज या ग्रामीण, दो विवाहों द्वारा उल्लंघन में, जिसमें विरी विवाह और अधिकारी पर, जो उसके विमुद की जा सकती, प्रतिकूल प्रभाव डाले विना, बाह्या गया अनुशासित शुल्क भी विवाह जाप्ता जो मू० नि० 45 के अधीन सातक अनुशासित शुल्क के चार गुना से अधिक नहीं होगा । वसूल की जाने वाली अनुशासित शुल्क सातक भी वह अधिक विमुद के लिए वह वसूल की जाएगी, संपदा अधिकारी द्वारा प्रत्येक मासमें में गुणालूण के आधार पर विनियित की जाएगी । इसके अलावा, अधिकारी को भविष्य में आवास में अंग बटाने में, ऐसी विनियोजित अवधि के लिए जो संपदा अधिकारी द्वारा विनियित की जाए, विवरित किया जा सकेगा ।

(3) जहाँ आवंटित द्वारा परिमर्दों में अप्राधिकृत रूप से अंग बटाने से आवंटन रद्द करने की कार्रवाई की जाती है वहाँ आवंटित को या उसके भाष्य उसमें रहने वाले किसी अन्य अभिव्यक्ति को उन परिमर्दों को खाली करने के लिए साठ दिन की अवधि दी जाएगी । आवंटन, परिमर्दों के खाली करने की तारीख में या आवंटन के रद्द करने की तारीख में माठ दिन की अवधि की समाप्ति पर, हन में से जो भी पहले हो, रद्द किया जा सकेगा ।

(4) जहाँ आवास का आवंटन, पड़ोगियाँ के भाष्य संमंजस्यपूर्ण भविष्यों के अनुशासन पर प्रतिकूल प्रभाव डालने वाले आचरण के कारण, रद्द किया जाता है वहाँ अधिकारी को, संपदा अधिकारी के विवेकानुभाव किसी अन्य स्थान पर उसी दावप का अन्य आवास आवंटित किया जा सकेगा ।

(5) संपदा अधिकारी, इस नियम के उपनियम (1), (2), (3) और (4) के अधीन सभी या किसी कार्रवाई को करने और ऐसे अधिकारी को जो उसे जारी किए गए नियमों और अनुदेशों को भंग करता है, तीन वार्षिकों से प्रतिवर्ष की अवधि के लिए आवासीय आवास-सुविधा के आवंटन के लिए अपाव भी शोणित करने के लिए ग्रस्त होगा ।

आवंटन के रद्दकरण के पश्चात् आवास में अधिक देश तक नियास करना अनु० नि० 317—क ठ-19 :

जहाँ इन नियमों में अंशविष्ट किसी उपबन्ध के अधीन कोई आवंटन रद्द कर दिया गया या रद्द कर दिया गया समझा गया है, वहाँ जाने के पश्चात् आवास उस अधिकारी के जिसे वह आवंटित किया गया था या उसकी मार्फत दावा करने वाले व्यक्ति के दखल में रहता है या रहा है, ऐसा अधिकारी आवास, भेषाओं, फैनीचर और द्वारा गये प्रयोग और दखल के लिए सरकार द्वारा गमय समय पर यथा अवधारित बाजार अनुशासित शुल्क के वरावर प्रभाव नुकसानी के रूप में देने के लिए दायी होगा :

परन्तु संपदा अधिकारी द्वारा विशेष दण्डों में, कोई अधिकारी अनु० नि०-५५ के अधीन सातक अनुशासित शुल्क के दुगुने की अदायगी पर जो भी उच्चतर हो, मू० नि० 317—क ठ-४ के उपनियम (2) के अधीन अनुशासित अवधि के परे छः मास में अनुशिक्ष अवधि के लिए आवास को रखने के लिए अनुशासित किया जा सकेगा ।

इन नियमों के जारी किए जाने से पूर्व किए गए आवंटनों का चाल रहता—अनु० नि० 317 क ठ-२० :

किसी आवास का कोई विविधान्य आवंटन, जो इन नियमों के प्रारम्भ से ठीक पूर्व प्रचलित है, उस समय प्रवृत्त नियमों के अधीन, इस वाले के होने हुए भी कि अपाव अधिकारी जिसे वह आवंटन किया गया है, अनु० नि० 317—क ठ-१ के अधीन उस दावप के आवास के लिए पात्र नहीं है, इन नियमों के अधीन सम्पत्ति किया जा सकेगा ।

समझा जाएगा और इन नियमों के सभी पूर्वशर्ती उपलब्ध उस आवंटन और उस अधिकारी के संबंध में तदनुसार लागू होंगे।

नियमों वा निवेदन—अनु० नि० 317—कठ—21:

यदि इस ब्लैड में के नियमों के निवेदन के संबंध में कोई प्रश्न उठता है, तो उग पर सरकार का विनियन अंतिम होगा।

नियमों वा विधिलक्षण—अनु० नि० 317—कठ—22:

सरकार, किसी अधिकारी या आदान पराने के बागे या आदान की टाइप दणा में, इस ब्लैड में के नियमों के गम्भीर या विस्तृत प्रवर्ण को, लेखनशुल्क कारणों से विचित्र कर गकेगी।

विधिलक्षण या उन्होंने का प्रत्यायोजन—अनु० नि० 317—कठ—23:

भरतवास, उन्होंने के अधीन रहते हुए, जैसी वह अधिराजित करना उचित समझे, इस ब्लैड में नियमों द्वारा उसे प्रदत्त सभी या किसी शक्ति को, आने विवरणादान किसी अधिकारी को प्रत्यायोजित कर गकेगी।

अनुसूची

प्रथमक दाइप में आवासों की विवरण, उनकी पहचान और वर्गीकरण आदि की सूचना देते हुए, आवास का अनुसूची

व्राम-मुद्रिता की दाइप	आवासों की संख्या	पहचान	वर्गीकरण
अध्यक्ष का अंगता	1 सं० 9	दाइप VIII	
'क' दाइप बंगले	4 सं० 13 ते 16	दाइप VII	
'ख' दाइप बंगले	13 सं० 1 से 8 सं० 10 ते 12 } सं० 17 से 18 }	दाइप VI	
'ग' दाइप बंगले 'ध' दाइप बंगले	14 सं० 19 से 32 } 6 सं० 45 से 50 }	दाइप V	
नगर में 'वन क्रूटीर' 28-ई० सौ० रोड,	1 --		
देहरादून			
'ब' -2 दाइप बंगले	12 सं० 33 से 44	दाइप IV	
'क' दाइप ब्लैटर	11 सं० 1 से 11	दाइप IV	
'झ' दाइप अस्थायी मकान 12 नरों के ब्लैटर और दो सेट (पुराने अधिकारियों के ब्लैट, ग्री० 1/11 (3-कमरे वाले) के सामने	ब्लैट 82 मे० मेट 1, 2 और 3 ब्लैट 83 मे० मेट 1, 2 और 3 ब्लैट 4 मे० मेट 1, 2 और 3 } ब्लैट 2 मे० मेट 1, 2 और 3 } ब्लैट 5 मे० मेट 1 ग्रामिकारियों के ब्लैट मे० सेट 1 और 2 } <td>दाइप IV</td> <td></td>	दाइप IV	
उत्तरी वन अस्पताल में चिकित्सा अधिकारियों के आवास	1 --		
'ख' दाइप ब्लैटर	65 सं० 12 ते 75 } सं० 118 }	दाइप III	
'ग' दाइप ब्लैटर	42 गं० 76 से 117	दाइप III	
'क' दाइप ब्लैटर	28 सं० 29 से 56	दाइप III	

मार्केट ब्लैटर	11 सं० 1 से 11	दाइप II
'छ' दाइप ब्लैटर	28 सं० 1 से 28	दाइप II
'ज' दाइप ब्लैटर	40 सं० 119 से 158	दाइप II
पुराने यंग IV ब्लैटर	111 सं० 1 से 111	दाइप II
नए दुमंजल ब्लैटर	40 सं० 1 से 40 } 16 सं० 41 से 56 }	दाइप I

[सं०. 25-5/69. एफ]

रूप राम, अवर सचिव

**MINISTRY OF AGRICULTURE**  
(Department of Agriculture)

New Delhi, the 11th March, 1974

**S.O. 892.**—In pursuance of the provision of rule 45 of the Fundamental Rules, the President is pleased to make the following rules further to amend the Supplementary Rules issued with the Government of India. Finance Department letter No. 104-FSR dated the 4th February, 1922.

In Part VIII of the the Supplementary Rule, the following Division shall be inserted at the end, namely:—

**"DIVISION XXVI- AL"**

**Short title and commencement—S.R. 317—AL—1.**—(1) These rules may be called the allotment of Government Residences in the Forest Research Institute and Colleges, Dehra Dun, Forest Research Laboratory, Bangalore, Southern Forest Rangers College and Forest Research Centre, Coimbatore (Pool accommodation for Gazetted and non-Gazetted Government servants) Rules 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

**Definitions—S.R. 317—AL—2.**—In these rules, unless the context otherwise requires.

(a) "allotment" means the grant of a licence to occupy a residence in accordance with the provisions of these rules.

(b) "allotment year" means the year beginning on the 1st day of January or such other period as may be notified by the Estate Officer.

(c) "Dehra Dun", "Bangalore" and "Coimbatore" mean respectively the New Forest Estate, Dehra Dun, the campus of the Forest Research Laboratory Bangalore and Southern Forest Rangers College and Forest Research Centre, Coimbatore;

(d) "eligible office" means an office borne on the regular staff of the Forest Research Institute and Colleges, Dehra Dun or the Forest Research Laboratory, Bangalore, or Southern Forest Rangers College and Forest Research Centre, Coimbatore which has been declared by the Central Government as eligible for accommodation under these rules;

(e) "emoluments" means the emolument as defined in Fundamental Rules 45-C, but does not include the compensatory allowances.

**Explanation.**—In the case of an officer, who is under suspension, the emoluments drawn by him on the first day of allotment year in which he is placed under suspension or if he is placed under suspension on the first day of the allotment year the emoluments drawn by him immediately before that date shall be taken as emoluments;

(f) "Estate Officer" means:—

(i) in relation to Dehra Dun the Registrar, Forest Research Institute and Colleges, Dehra Dun.

(ii) in relation to Bangalore, the Head of the Utilisation Research, Forest Research Laboratory, Bangalore, and

(iii) in relation to Coimbatore, the Principal, Southern Forest Rangers College, Coimbatore;

(g) "family" means the wife or husband, as the case may be, and children, step-children, legally adopted children, parents, brothers or sisters who ordinarily reside with, and are dependent on, the officer;

(h) "Government" means the Central Government;

(i) "Priority date" of an officer in relation to a type of residence to which he is entitled under the provision of S.R. 317-AL-4, means the earliest date from which he has been continuously drawing emoluments relevant to a particular type or a higher type of residence, in a post in the Forest Research Institute and Colleges, Dehra Dun or the Forest Research Laboratory, Bangalore or the Southern Forest Rangers College, Coimbatore, or other Regional Centres under the President, Forest Research Institute and Colleges, except for the period of leave;

Provided that in the case of an officer on deputation to foreign service in an office under the Ministry of Agriculture at Dehra Dun or Coimbatore or Bangalore, on his repositioning to the Forest Research Institute and Colleges, Dehra Dun or the Forest Research Laboratory, Bangalore or the Southern Forest Rangers College and the Forest Research Centre, Coimbatore, the period of foreign service shall be included for the purpose of determination of his priority date;

Provided further that in respect of type I, II or III residence, the date from which the officer has been continuously in service in the eligible office shall be his priority date for that type:

Provided also that where the priority date of two or more officers is the same, seniority among them shall be determined by the amount of emoluments the officers in receipt of higher emoluments taking precedence over the officer in receipt of lower emoluments and where the emoluments are equal by the length of service in eligible office:

(j) "Licence fee" means the sum of money payable monthly in accordance with the provisions of the Fundamental Rules in respect of a residence allotted under these rules;

(k) "residence" means any residence for the time being under the administrative control of the Estate Officer, as specified in the Schedule appended to these rules;

(l) "subletting" includes sharing of accommodation by an allottee with another person with or without payment of licence fee by such other person.

**Explanation:**—Any sharing of accommodation by an allottee with near relation shall not be deemed to be subletting;

(m) "temporary transfer" means a transfer which involves an absence for a period of not exceeding four months;

(n) "transfer" means a transfer from Dehra Dun or Coimbatore or Bangalore to any other place or from the eligible office to an ineligible office and includes a transfer or reversion to service under a State Government or under a Union territory administration and also deputation to a post;

(o) "type" in relation to an officer, means the type of residence to which he is eligible under S.R. 317-AL-4.

#### Allotment to husband and wife eligibility in cases of officers who are married to each other S.R. 317-AL-3

(1) No officer shall be allotted a residence under these rules if the wife or the husband, as the case may be, of the officer has already been allotted a residence unless such residence is surrendered:

Provided that this sub-rule shall not apply where the husband and the wife are residing separately in pursuance of an order of judicial separation made by any court of law or where judicial proceedings for separation are under consideration of a court of law.

(2) Where two officers who are in occupation of separate residences allotted under these rules, marry each other, they shall within one month of their marriage, surrender one of the residences.

(3) If one of the residences is not surrendered as required by sub-rule (2), the allotment of the residence of the lower type, shall be deemed to have been cancelled on the expiry of such period and if the residences are of the same type, the allotment of such one of them as the Estate Officer may decide shall be deemed to have been cancelled on the expiry of such period.

(4) Where both the husband and the wife are employed in the eligible office at the same town, the title of each of them to allotment of a residence under these rules shall be considered independently.

#### Classification of residences—S.R. 317-AL-4

(1) Save as otherwise provided by these rules, an officer will be eligible for allotment of a residence of the type shown in the table below.

TABLE

#### Forest Research Institute and Colleges, Dehra Dun

Type of residence/Name of residence	No. of residence	Category of officer or his monthly emoluments as on the first day of the allotment year in which the allotment is made	1	2	3
I. Class IV Quarters	111-Single storey 40—Double storey	Below Rs. 100			
For Non-gazetted staff					
II. Market quarters	11				
H. Type quarters	40	79			
G. Type quarters	28				
III. 'B' type quarters	65				
'C' type quarters	42				
Type III quarters	8	123			
'F' type quarters	8				
For gazetted staff class II and Junior class I					
IV. 'D-2' type Bungalows	12				
'A' type quarters	11				
'E' type huts	12	49			
Hutsments opposite Bungalow No. B-11	2				
'F' type quarters	12				
For gazetted staff Class I (Senior)					
V. 'C' type Bungalows	14				
'D' type bungalows	6				
Forest Cottage (City Section)	1	21			
VI. 'B' type bungalows	13				
VII. 'A' type bungalows	4				
VIII. President's bungalow No. 9	1				
		Reserved for President, Forest Research Institute and Colleges.			

#### Southern Forest Rangers College and Research Centre Coimbatore

I. Servants Block	41	Below 110
-------------------	----	-----------

1	2	3
II. Curator's quarters	1	
Havildar's quarters (East)	1	
Havildar's quarters (West)	10	Rs. 110 to Rs. 249
Clerk's quarters	5	
Overseer's quarters	1	
Engine Driver's quarters	1	
III. Hostel Block No. 11	2	Rs. 250 to Rs. 399.
IV. Lady Doctor's quarters	1	
Matron's quarters	1	
Old Commandant's Office	3	Rs. 400 to Rs. 699.
V. Provincial Instructor's quarters	3	
Imperial Instructor's quarters	4	Rs. 700 to Rs. 1299.
VI. Principal's quarters	1	Rs. 1300 and above.

### Forest Research Laboratory, Bangalore

Classification as prescribed for Forest Research Institute and Colleges, Dehra Dun, will apply.

(2) In order to give an appropriate number of residences to the tenure or non-tenure officers in the Forest Research Institute and Colleges, Dehra Dun, the following will be the allocation of residences amongst the officers (excluding Bungalow No. 9 reserved for the President, Forest Research Institute and Colleges, Dehra Dun).

#### Tenure Class I Officers

- (i) Director of Forest Education and Director Forestry Research . . . . . 2 Type VII Bungalows.
- (ii) Registrar . . . . . 1 type VI 'B' Type Bungalows.
- (iii) Dean, Indian College Principal, Northern Forest Rangers College, Publicity and Liaison Officer and any other 3 officers, depending on their seniority . . . . . 6 Type VI Bungalows.
- (iv) Deputy Registrar . . . . . 1 Type V Bungalow (C)
- (v) For any 9 officers . . . . . 6 Type V Bungalows (C)  
3 Type V Bungalows (D-1)
- (vi) House tutor or principal, State Forest College . . . . . 1 Type V Bungalow (Forest Cottage in Town)

#### Non-Tenure Class I Officers

- (i) For 2 Directors . . . . . 2 Type VII Bungalows.
- (ii) For 6 Senior Research Officers . . . . . 6 Type VI Bungalows.
- (iii) For any 10 officers . . . . . 7 Type V Bungalows (C)  
3 Type V Bungalows (D-1)
- (iv) For any 3 officers . . . . . 3 Type IV bungalows (D-2)
- (v) Officer-in-Charge, Service Branch . . . . . 1 Type IV or V Bungalow.

#### Tenure Class II Officers

- (i) For any 2 officers . . . . . (D2)
- (ii) For any 5 officers . . . . . (E)
- (iii) For any 3 officers including Accounts Officers Forest Research Institute & Colleges . . . . . 10 type IV accommodation.

#### Non-Tenure Class II Officers

- (i) For any 6 officers . . . . . (D2)
- (ii) For any 9 officers . . . . . (E)
- (iii) For any 8 officers including one each to Mensuration officers and Assistant Registrar. . . . . (A)
- (iv) For any 12 officers including Physical Training and Games Instructors . . . . . 12 type III quarters (F Type).
- (v) For one Medical Officer-in-charge, New Forest Hospital . . . . . 1 attached residence.
- (3) The following officers are required to stay at the Campus in the public interest.
  - (a) Director of Forestry Research (Central Silva)
  - (b) Director of Forest Education.
  - (c) Registrar.
  - (d) Dean, Indian Forest College.
  - (e) Deputy Registrar.
  - (f) Principal, Northern Forest Rangers College.
  - (g) Publicity and Liaison Officer.

(4) If accommodation of an officer's entitlement is made available in his order of seniority, he will be allowed a residence of next lower type and will have preference over those on the waiting list for that of bungalows as soon as the same falls vacant.

(5) The incumbents of the following posts shall be deemed to be tenure officers.

#### Forest Research Institute and Colleges, Dehra Dun

Sl. No.	Designation	Revised Pay scales	
		1	2
1.	Director of Forest Education . . . . .	1300-60-1600-100-1800.	3
2.	Director of Forestry Research . . . . .	1300-60-1600-100-1800.	
3.	Dean, Indian Forest College . . . . .	1300-60-1600-100-1800.	
4.	Editor, Editorial Board . . . . .	1300-60-1600-100-1800.	
5.	Registrar, Forest Research Institute and College, Dehra Dun . . . . .	1100-50-1400.	
6.	Deputy Registrar Research Institute and College, Dehra Dun . . . . .	700-1250.	
7.	Assistant Silva (Experimental) . . . . .	700-1250.	
8.	Minor Forest Products Officer . . . . .	700-1250.	
9.	Assistant Silviculturist (General) . . . . .	700-1250.	
10.	Principal, Northern Forest Rangers College . . . . .	700-1250.	
11.	Logging Officer . . . . .	700-1250.	
12.	Lecturers, Indian Forest College . . . . .	700-1250.	
13.	Instructors, Northern Forest Ranger College . . . . .	700-1250.	
14.	Publicity and Liaison Officer . . . . .	700-1250.	
15.	Assistant Editor . . . . .	700-1250.	
16.	Mensuration Officer, when held by a State Forest Officer on deputation basis . . . . .	700-1250.	

1	2	3
17. Forest Utilisation Officer	700-1250.	
18. Assistant Silviculturist (Plan Studies)	700-1250.	
19. Southern Forest Rangers (Summarisation of Ledger files)	700-1250.	
20. Senior Research Officer (Silviculture and Soil Section)	700-1250.	
21. Senior Research Officer, Lecturer, Wild Life	700-1250.	
22. Senior Research Officer (Forest Economic)	700-1250.	
23. Accounts Officer	590-900.	
24. Research Officer (Logging) when held by a State Forest Officer on deputation basis	350-900.	
25. Assistant Instructor, Northern Forest Rangers College	350-900.	

**Southern Forest Rangers College and Forest Research Centre, Coimbatore**

1. Head of Biological Research and Principal Southern Forest Rangers College and Forest Research Centre, Coimbatore	1300-60-1600-100-1800.
2. Instructors, Southern Forest Ranger College	700-1250.
3. Assistant Instructor -do-	350-900.

**Allotment of residences and offers S.R. 317-AL-5**

(1) Save as otherwise provided in these rules a residence, on falling vacant, will be allotted by the Estate Officer to any officer without accommodation in the type or equivalent type subject to the following conditions:—

- (i) The Estate Officer shall not allot a residence of a type higher than that to which the officer is eligible under S.R. 317-AL-4.
- (ii) The Estate Officer shall not compel any officer to accept a residence of a lower type than that to which he is eligible under S.R. 317-AL-4.
- (iii) If accommodation of appropriate type is not available, the officer will be considered for a house of next lower type and will have preference over those on the waiting list for that type of bungalow as soon as the same falls vacant. If a bungalow in the next below type is not available, the officer may be provided with some accommodation in any lower type temporarily for a maximum period of six months during which period he will have to make his own arrangement for the accommodation so that, on the expiry of such period, if he does not get on, regular basis, a residence of his entitlement or in the next below type he has to vacate the said temporary accommodation.

(2) The Estate Officer may cancel the existing allotment of an officer and allot him as alternative residence of the same type or in emergent circumstances, an alternative residence of the type next below the type of residence in the occupation of the officer which is required to be vacated.

(3) A vacant residence may, in addition to allotment to an officer under sub-rule(1) be offered simultaneously to other eligible officer in order of their priority dates.

**Out of turn allotment—S.R. 317-AL-6**

The Estate Officer may make out-of-turn allotment to the son or daughter or wife of an officer in the following circumstances:—

- (i) on the death of the officer.

(ii) on the termination of service of the officer due to his insanity or in other circumstances, when he has left the family in distress.

Provided that if the son, daughter or wife of the officer is appointed to any eligible office, and on the basis of his or her pay is entitled to be allotted the type of residence already occupied by him or her, then he or she shall be allotted that residence and in other cases he or she shall be allotted such type of residence as he or she is entitled to on the basis of emoluments drawn by him or her:

Provided further that no allotment under this rule shall be made to the son or daughter of the officer unless he or she was residing with the officer continuously for six months immediately before the death of the officer or the termination of service of the officer in the circumstances mentioned in clause (ii).

**Non-acceptance of allotment of offer or failure to occupy the allotted residence after acceptance—S.R. 317-AL-7**

(1) If an officer fails to accept the allotment of a residence within five days from the receipt of the allotment order or after acceptance fails to take possession of that residence within eight days from the date of receipt of the order of allotment, he shall not be eligible for another allotment being allotted another residence for a period of one year from the date of the allotment order.

(2) If an officer occupying a lower type residence is allotted or offered a residence of the type for which he is eligible under S.R. 317-AL-4 he may on refusal of the said allotment or offer of allotment, be permitted to continue in the previously allotted residence on the following conditions, namely:—

- (a) that such an officer shall not be eligible for another allotment for a period of six months from the date of the allotment order for the higher class accommodation,
- (b) while retaining the existing residence he shall be charged the same licence fee which he would have had to pay under FR-45-A in respect of the residence so allotted or offered or the licence fee payable in respect of the residence already in his occupation whichever is higher.

**Period for which allotment subsists and the concessional period for further retention—S.R. 317-AL-8**

(1) An allotment shall be effective from the date on which it is accepted by the officer and shall continue in force until—

- (a) the expiry of the concessional period permissible under sub-clause (2) after the officer ceases to be on duty in the eligible office, or
- (b) it is cancelled by the Estate Officer or is deemed to have been cancelled under any of the provision of these rules, or
- (c) it is surrendered by the officer, or
- (d) the officer ceases to occupy the residence.

(2) A residence allotted to an officer may, subject to sub-rule(3), be retained in the happening of any of the events specified in column 1 of the Table below for the period specified in the corresponding entry in column 2 thereof, provided the residence is required for the bonafide use of the officer or members of his family.

## TABLE

Event:	Permissible period for retention of the residence
(i) Resignation, dismissal, removal or termination of service or unauthorised absence without permission.	1 month.
(ii) Retirement or terminal leave	2 months.
(iii) Death of the allottee	4 months.
(iv) Transfer to a place outside Dehra Dun or Bangalore or Coimbatore.	2 months.
(v) Transfer to an ineligible office in Dehra Dun or Coimbatore or Bangalore.	2 months.
(vi) On proceeding on foreign service in India.	2 months.
(vii) Temporary transfer in India or transfer to a place outside India.	4 months.
(viii) Leave (other than leave preparatory to retirement, refused leave, terminal leave, medical leave or study leave).	For the period of leave but not exceeding 4 months.
(ix) Leave preparatory to retirement or refused leave granted under FR-86.	For the full period of leave on full average pay subject to a maximum of 4 months inclusive of the period permissible in the case of retirement.
(x) Study leave or deputation outside India.	For the period of leave but not exceeding 6 months.
(xi) Study leave in India	For the period of leave but not exceeding 6 months.
(xii) Leave on medical grounds	For the full period of leave.
(xiii) On proceeding on training	For the full period of training

**Explanation:**—The period permissible on transfer mentioned against items (iv), (v) and (vii) of the Table shall count from the date of relinquishing charge plus the period of leave, if any sanctioned to and availed of by the officer before joining duty to the new office.

(3) Where a residence is retained under sub-rule (2) the allotment shall be deemed to be cancelled on the expiry of the admissible concession period unless immediately on the expiry thereof the officer resumes duty in the eligible office.

(4) An officer who has retained the residence by virtue of the concession under item (i) or item (ii) of the Table below sub-rule (2) shall, in re-employment in the eligible office within the period specified in the said Table, be entitled to retain that residence and he shall also be eligible for any further allotment of residence under these rules :

Provided that if the emoluments of the officer on such re-employment do not entitle him to the type of residence occupied by him, he shall be allotted a lower type of residence.

(5) Notwithstanding anything contained in sub-rule (2) or sub-rule (3) or sub-rule (4), when an officer is dismissed or removed from service or when his services have been terminated and the Head of the Deptt. in respect of the office in which such officer was employed immediately before such dismissal, removal or termination is satisfied that it is necessary or expedient in the public interest so to do, he may require the Estates Officer to cancel the allotment of the residence made to such officer either

forthwith or with effect from such date prior to the expiry of the period of one month referred to in item (i) of the Table below sub-rule (2) as he may specify and the Estate Officer shall act accordingly.

Provisions relating to licence fee S.R. 317—AL 9:

(1) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for licence fee shall commence from the date of acceptance.

(2) An officer who, after acceptance, fails to take possession of that accommodation within eight days from the date of receipt of the allotment order, shall be charged licence fee from such date upto a period of one month or upto the date of relinquishment of accommodation, whichever is earlier.

(3) The officer to whom a residence has been allotted is liable to pay the water and other conservancy charges as fixed from time to time along with the licence fee.

(4) Where an officer, who is in occupation of a residence, is allotted another residence and occupies the new residence, the allotment of the former residence shall be deemed to be cancelled from the date of occupation of the new residence. He may, however, retain the former residence without payment of licence fee for that day and the subsequent day for shifting.

Personal liability of the officer for payment of licence fee till the residence is vacated and furnishing of surety by temporary officers—S.R. 317—AL—10:

(1) The officer to whom a residence has been allotted shall be personally liable for the licence fee thereof and for any damage beyond fair wear and tear caused thereto or to the furniture, fixtures or fittings or services provided therein by Government during the period for which the residence has been and remains allotted to him, or where the allotment has been cancelled under any of the provisions in these rules, until the residence alongwith the out-houses appurtenant thereto have been vacated and full vacant possession thereof has been restored to Government.

(2) Where the officer to whom a residence has been allotted is neither a permanent or a quasi-permanent Government servant, he shall execute a security bond in the form prescribed in this behalf by the Central Government with a surety who shall be a permanent Government servant serving under the Central Government, for due payment of licence fee and other charges due from him in respect of such residence, and services and any other residence provided in lieu.

(3) If the surety ceases to be in Government service or becomes insolvent or withdraws his guarantee or ceases to be available for any other reason, the officer shall furnish a fresh bond executed by another officer (surety) within thirty days from the date of his acquiring knowledge of such event or fact and if he fails to do so, the allotment of the residence to him shall unless otherwise decided by the Estate Officer be deemed to have been cancelled with effect from the date of that event.

Surrender of an allotment and period of notice—S.R. 317—AL—11:

An officer may at any time surrender an allotment by giving intimation so as to reach the Estate Officer at least ten days before the date of vocation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the eleventh day after the day on which the letter is received by the Estate Officer or the date specified in the letter, whichever is later. If the officer fails to give due notice he shall be responsible for payment of licence fee for ten days or the number of days by which the notice given by him falls short of ten days unless the Estate Officer accepts the notice for a shorter period.

Change of residence—S.R. 317—AL—12:

(1) An Officer to whom a residence has been allotted under these rules may apply for a change to another residence of the same type. Not more than one change shall be allowed in respect of one type of residence allotted to the officer.

(2) Changes shall be offered in the order of receipt of applications for the same in the office of the Estate Officer in special cases.

(3) If an officer fails to accept a change of residence offered to him within five days of the issue of such offer of allotment, he shall not be considered again for a change of residence of that type.

Change of residence in the event of death of a member of the family—S.R. 317—AL—13.

Notwithstanding anything contained in SR—317—AL—12 an officer may be allowed a change of residence on the death of any member of his family if he applies for change within three months of such occurrence, provided that the change will be given in the same type of residence and on the same floor as the residence already allotted to the officer.

Mutual exchange of residence—S.R. 317—AL—14.

Officers to whom residences of the same type have been allotted under these rules may apply for permission to mutually exchange their residence. Permission for mutual exchange may be granted if both the officers are reasonably expected to be on duty in the eligible officer and to reside in their mutually exchanged residences for at least six-months from the date of approval of such exchange. Mutual exchange in different types of accommodation shall not be permitted.

Maintenance of residence—S.R. 317—AL—15.

The officer to whom a residence has been allotted shall maintain the residence and premises in a clean condition to the satisfaction of the Central Public Works Department, the Estate Officer and the concerned Medical Officer or Health Officer as the case may be.

Such officer shall not grow any tree, shrubs or plants contrary to the instructions issued by the Estate Officer or Central Public Works Department nor cut or lop off any existing tree or shrub in any garden courtyard or compound attached to the residence save with prior permission in writing of the Estate Officer. Trees, plantation or vegetation, grown in contravention of this rule may be caused to be removed by the Estate Officer at the risk and cost of the officer concerned. The trees or shrubs so cut shall be disposed of by the Estate Officer.

Subletting and sharing of residences—S.R. 317—AL 16.

(1) No officer shall share the residence allotted to him or any of the out-houses, garages and stables appurtenant thereto with any other person other than an officer. The servants' quarters, out-houses and garages may be used only for the bona fide purposes, including residence of the servants of the allottee or for such other purposes as may be permitted by the Estate Officer.

2. No officer shall sublet the whole of his residence:

Provided that an officer proceeding on leave may accommodation in the residence any other officer eligible to share Government accommodation, as a caretaker, for the period specified in sub-rule (2) of SR—317—AL—8 but not exceeding six months.

(3) An officer who shares or sublets his residence shall do so at his own risk and responsibility and shall remain personally responsible for any licence fee payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by Government beyond fair wear and tear.

Consequences of breach of rules and conditions—S.R. 317—AL—18.

(1) If an officer to whom a residence has been allotted unauthorisedly sublets the residence or charges licence fee from the sharer at a rate which the Estate Officer considers excessive or erects any unauthorised structure in any part of the residence or uses the residences or any portion thereof for any purposes other than that for which it is meant or tempers with the electric or water connection or commits any other breach of the rules or of the terms and conditions of the allotment or uses the residence or premises or permits

or suffers the residence or premises to be used for any purpose which the Estates officer considers to be improper or conducts himself in a manner which in his opinion is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Estate officer may, without prejudice to any other disciplinary action that may be taken against him cancel the allotment of the residence.

*Explanation.*—In this sub-rule, the expression 'Officer' includes a member of his family and any person claiming through the officer.

(2) If an officer sublets a residence allotted to him or any portion thereof or any of the out-houses, garages or stables appurtenant thereto, in contravention of these rules, he may, without prejudice to any other action that may be taken against him, be charged enhanced licence fee not exceeding four times the standard licence fee under FR—45—A. The quantum of licence fee to be recovered and the period for which the same may be recovered in each case will be decided by the Estate Officer on merits. In addition, the officer may be debarred from sharing the residence for such specified period in future as may be decided by the Estate Officer.

(3) Where action to cancel the allotment is taken on account of unauthorisedly subletting of the premises by the allottee, a period of sixty days shall be allowed to the allottee or any other person residing with him thereto to vacate that premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of sixty days from the date of the order for the cancellation of the allotment, whichever is earlier.

(4) Where the allotment of a residence is cancelled for a conduct prejudicial to the maintenance of harmonious relations with neighbours the officer, at the discretion of the Estate Officer, may be allotted another residence of the same type at any other place.

(5) The Estate Officer shall be competent to take all or any of the action under sub-rules(1), (2) (3) and (4) of this rule and also to declare the officer who commits a breach of the rules and instructions issued to him, to be ineligible for allotment of residential accommodation for a period not exceeding three years.

Overstayal in residence after cancellation of allotment S.R. 317—AL—19.

Where, after an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains or has remained in occupation of the officer to whom it was allotted or of any person claiming, through him, such officer shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges equal to the market licence fee as may be determined by Government from time to time :

Provided that an officer, in special cases, may be allowed by the Estate Officer to retain a residence on payment of twice the standard licence fee under FR—45—A, whichever is higher, for a period not exceeding six months beyond the period permitted under sub-rule(2) of S.R. 317—AL—8.

Continuance of allotments made prior to the issue of these rules—S.R. 317—AL—20.

Any valid allotment of a residence which is subsisting immediately before the commencement of these rules under the rules then in force shall be deemed to be an allotment duly made under these rules notwithstanding that the officer to whom it has been made is yet entitled to a residence of the type under S.R. 317—AL—4 and all the preceding provisions of these rules shall apply in relation to that allotment and that officer accordingly.

Interpretation of rules S.R. 317—AL—21.

If any question arises as to the interpretation of the rules in this Division, the decision of Government thereof shall be final.

Relaxation of rules—S.R. 317—AL—22.

Government may for reasons to be recorded in writing relax all or any of the provision of the rules in this Division in the cases of any officer or residence or class of officers or type of residence.

Delegation of powers or functions—S.R. 317—AI—23.—Government may delegate any or all the powers conferred upon it by the rules in this Division to any officer under its control subject to such conditions as it may deem fit to impose.

## SCHEDULE I

Schedule of residence indicating the number of residences in each type their identification and classification etc.

Type of accommodation	No. of residences	Identification	Classification
President's bungalow	1	No. 9	Type VIII
'A' Type bungalows	4	No. 13 to 16	Type VII
'B' Type bungalows	13	No. 1 to 8 No. 10 to 12 No. 17 to 18	Type VI
'C' Type bungalows	14	No. 19 to 32	Type V
'D-I' Type bungalows	6	No. 45 to 50	Type V
'Forest Cottage' in City 28-F.C. Road, Dehra Dun.	1	—	—
'D-2' Type bungalows	12	No. 33 to 44	Type IV
'A' Type quarters	11	No. 1 to 11	Type IV
'E' Type Hutsments 12 sister's quarters plus 2 sets (old officers block) opposite B/11 (3 roomed).	14	Set 1, 2 and 3 in Block 82 Set 1, 2 and 3 in Block 83 Set 1, 2 and 3 in Block 4 Set 1, 2 and 3 in Block 2 Set 1, 2 in Block 5 Set 1 and 2 in Officer Block	T Y P E IV
Medical Officer's residence in the Northern Forest Hospital.	1	—	—
'B' type quarters	65	No. 12 to 75	Type III
'C' type quarters	42	No. 76 to 117	Type III
'F' type quarters	28	No. 29 to 56	Type III
Market quarters	11	No. 1 to 11	Type II
'G' type quarters	28	No. 1 to 28	Type II
'H' type quarters	40	No. 119 to 158	Type II
Old Class IV quarters	111	No. 1 to 11	Type I
New Double Storeyed quarters	40	No. 1 to 40	Type I
	16	No. 41 to 56	
			[No. 25-5169-F]
			RUP RAM, Under Secy.

तर्ह दिल्ली, दिनांक 16 मार्च, 1974

का० आ० 893.—पश्च श्रृंगता निवारण अधिनियम, 1960 (1960 का 59) की धारा 4 और 5 की उप-धारा (1) द्वारा धारा 7 की उप-धारा (1) के अनुग्रह में केन्द्रीय सरकार भारत सरकार के भूतपूर्व खात नथा कृषि मंत्रालय (कृषि नियम) की अधिसूचना नव्या एम० आ० 921, दिनांक 20 मार्च, 1962 को आये और स्वीकृत करने के लिए अनुद्वारा नियन्त्रित संसोधन करनी है ग्राहीत्।—

157 G of I/73—5

उक्त अधिसूचना में :-

(क) ऐसा 1 में सब मध्या 1 से 23 और उसमें गंवारित प्रतिशियों में नियन्त्रित प्रतिस्थापित किया गया ग्राहीत्।

मद्यम	कार्य-भार	श्रेणी
प्रदूष की	तारीख	
1	2	3
1. “बन महानिरीक्षक, भारत सरकार	धारा 5(1)(क) के अन्तर्गत पदेन गदम्य।	
2. पण्डालन आमुक्त, भारत सरकार	धारा 5(1)(ख) के अन्तर्गत पदेन सदम्य।	
3. श्रा० वी० एम० अलवर, 23 नवम्बर, महामत्ति, भारतीय पण्डिकाला विकास संघ भारत	धारा 5(1)(ग) के अन्तर्गत पण्डिकाला व्यवसायियों के संघ के प्रतिनिधि।	
4. श्री पी० एन० वी० कुम्ह, 5 जुलाई, ब्राह्मण मंत्रालय, दिल्ली 1971	आधुनिक श्रीर वैशिक्षिकों के व्यवसायियों के प्रतिनिधि जिन्हे भारत सरकार ने धारा 5(1)(घ) के अन्तर्गत नामांकित किया है।	
5. श्रा० एम० वागनी 24 मई, 1971	तगर नियमों के प्रतिनिधि जिन्हें उक्त नियमों में से प्रत्येक ने धारा 5(1) (शा०) के अन्तर्गत चुना है।	
6. श्री श्रीम प्रकाश जैन 23 नवम्बर, 1971		
7. श्रो वी० अनंगेंद्रन 23 नवम्बर, 1971		
8. श्री जयन्ती लाल नारद शास्त्र मांकर, अवैश्वनिक मत्ति, बम्बई हूमनिटीरियत नींग 149 गणपत आजान अरब्ह-2 19 मार्च, 1971	पश्च कल्याण में सचिल नेतृत्व संगठनों के प्रतिनिधि जिन्हे उक्त संगठनों में से प्रत्येक ने धारा 5(1)(ब) के अन्तर्गत चुना है।	
9. श्री प्रशुष्व चट्टर्जी, 30, चौरंगी मैन्यान्न, काठड मटी, कलकत्ता-16 7 मई, 1971		
10. श्रा० जै० डी० जैन, अद्यधर, श्री विगम्बर जैन आलबोधि-नी गभा, महाराष्ट्र 23 नवम्बर, 1971		
11. श्री तिलक गज, मत्ति पश्च कृष्णा निवारण ममिति अमृतसर 23 नवम्बर, 1971	पश्च कृष्णा निवारण संबंधी ममितियों के प्रतिनिधि जो मारा 5(1)(ल) के अन्तर्गत चुने गये हैं।	
12. श्रीमती विनो जयगाम पश्च कृष्णा निवारण ममिति बंगलार 23 नवम्बर, 1971		
13. श्री एम० आर० कीमसी मत्ति, पश्च कृष्णा निवारण ममिति, हैदराबाद 23 नवम्बर, 1971		

1	2	3
14. श्रीमती श्रिमणी देवी प्रारंभेत 19 मार्च, 1971		
15. श्री जी० प्रार० गाजगोपाल 19 मार्च, 1971		
16. श्री वी० प्रार० कृष्ण आयर, सत्रस्य, विधि आयोग, शास्त्री भवन, नई दिल्ली-१ (अब उच्चतम आयात्मय में न्यायाधीश) 23 नवम्बर, 1971	केन्द्रीय सरकार द्वारा धारा 5(1) (ज) के अनुरूप नामित किए गए हैं।	

1	2	3
20. श्री नाथ गम अहिरवार, संसद मदस्य (लोक सभा) 29 नवम्बर, 1973		राज्य सभा से धारा
21. श्री दत्तमानी पटनायक, मंसद मदस्य (लोक सभा) 29 नवम्बर, 1973	5(1) (ज) के प्रति- रूप चुने गए हैं।	
22. श्री महादेवक मिहाराम्य, मंसद मदस्य (लोक सभा) 29 नवम्बर, 1973		

(ज) पैरा 3 में "खाद्य तथा कृषि मंत्रालय, कृषि विभाग में पशुधन विकास के प्रभारी उप-मंत्रिव" शब्दों के स्थान पर "निदेशक (पशु पालन और राज्य मर्पक) कृषि मंत्रालय (कृषि विभाग)" शब्द प्रतिस्थापित किए जायेंगे।

[संख्या 14-27-73 एन०टी० १]

का० मु० अहमद, गंगुली मंत्रिमंत्री

New Delhi, the 16th March, 1974

S.O. 893.—In pursuance of sub-section (1) of section 4, section 5 and sub-section (1) of section 7 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following amendments further to amend the notification of the Government of India in the late Ministry of Food and Agriculture (Department of Agriculture), No. S.O. 921, dated the 20th March, 1962, namely :—

In the said notification :—

(a) in paragraph 1, for items 1 to 23, and entries relating thereto, the following shall be substituted, namely :—

1	2	3
17. श्री भोला प्रसाद, मंसद 11 मई मदस्य (राज्य सभा), नई 1971 दिल्ली		
18. श्रीमती कुमुदेन मणि- 4 श्रिमंबर, णकर जोधपुर, मंसद मदस्य 1973 (राज्य सभा)	उ॒: मंसद मदस्य जिनमें से चार मदस्य लोक सभा में और दो मदस्य	
19. श्री अवल मिहर, मंसद 29 नवम्बर, मदस्य (लोक सभा) 1973		

Members	Date of assumption of office	Category
1	2	3
1. The Inspector General of Forests, Government of India.		Ex-officio under section 5(1)(a).
2. The Animal Husbandry Commissioner to the Government of India.		Ex-officio under section 5(1)(b).
3. Dr. V.S. Alwar, General Secretary, Indian Veterinary Association, Madras.	23rd November, 1971.	Representative of the association of veterinary practitioners under section 5(1)(c).
4. Dr. P.N.V. Kurup, Ministry of Health, New Delhi	5th July, 1971	Representatives of practitioners of modern and indigenous systems of medicine, nominated by the Central Government under section 5(1)(d).
5. Dr. S. Begchi	24th May, 1971	Representatives of the municipal corporations elected by each of the said corporations under section 5(1)(e).
6. Shri Om Prakash Jain	23rd November, 1971	
7. Shri. V. Dhanasekaran	23rd November, 1971	
8. Shri Jayantilal Naradlal Mankar, Honorary Secretary, Bombay Humanitarian League, 149, Shroff Bazar, Bombay-2.	19th March, 1971	Representatives of the organisations actively interested in animal welfare chosen by each of the said organisation under section 5(1)(f).
9. Shri Prabudha Chaterjee, 30, Chowranghee Man-Balbodhne sions, Kyd Street, Calcutta-16.	7th May, 1971	
10. Dr. J. D. Jain, President, Shri Digambar Jain Sabha, Saharanpur.	23rd November, 1971	
11. Shri Tilak Raj, Secretary, Society for Prevention of Cruelty to Animals, Amritsar.	23rd November, 1971	Representatives of the societies dealing with prevention of cruelty to animals chosen under section 5(1)(g).
12. Smt. Vinoo Jayaram, Society for Prevention of Cruelty to Animals, Bangalore.	23rd November, 1971	
13. Shri S.R. Kimtee, Secretary, Society for Prevention of Cruelty to Animals, Hyderabad.	23rd November, 1971	

1	3	3
14. Smt. Rukmani Devi, Arundale	19th March, 1971	6 Nominated by the Central Government
15. Shri G.R. Rajgopaul	19th March, 1971	under Section 5 (1)(h).
16. Shri V.R. Krishna Iyer, Member, Law Commission, Shastri Bhavan, New Delhi-I (now Judge Supreme Court)	23rd November, 1971	
17. Shri Bhole Prasad, M.P. (Rajya Sabha), New Delhi.	11th May, 1971	Six Members of Parliament, four elected
18. Smt. Kumudhen Manishankar Joshi, M.P. (Rajya Sabha)	4th December, 1973.	by the House of the People (Lok Sabha),
19. Shri Achal Singh, M.P. (Lok Sabha)	29th November, 1973	and two by the Council of States (Rajya Sabha), under section 5(1)(i).
20. Shri Nathu Ram Ahirwar, M.P. (Lok Sabha)	29th November, 1973	
21. Shri Banamali Patnaik, M.P. (Lok Sabha)	29th November, 1973	
22. Shri Mahadev Singh Shakya, M.P. (Lok Sabha)	29th November, 1973	

(b) In paragraph 3 for the words "the Deputy Secretary incharge of Livestock Development in the Ministry of Food and Agriculture, Department of Agriculture", the words "Director (Animal Husbandry and State Liaison), Ministry of Agriculture (Department of Agriculture)" shall be substituted.

[No. 14-27/73-L. D. 1]

Q. M. AHMED, Joint Secy.

**(Department of Food)**

**ERRATA**

New Delhi, the 23rd March, 1974

**S.O. 894.**—In the notification of the Government of India in the Ministry of Agriculture (Department of Food) No. S.O. 75(E) dated the 31st January, 1974, published at pages 159 to 161 of the Gazette of India Extraordinary—Part II, Section 3, Sub-section (ii) dated the 31st January, 1974:—

(1) at page 160,

(i) under the heading "Zone 'C'", in the column-head "By wholesaler", in item (b), against 1.0, for "8.01", read "8.81";

(ii) under the heading "Zone 'D'", in the column-head "By retailer", in item (d), against the entry "Per kilogram, net", for "7.8", read "7.89";

(2) at page 161, under the heading "Zone 'G'", in the column-head "By wholesaler", in item (a), against 4.0, for "38.37" read "33.37".

[No. 12-2/74-C&P]

F. G. T. MENEZES, Director  
Vanaspatti

**नौकरहन और परिवहन मंत्रालय**

**(परिवहन पक्ष)**

नई दिल्ली, 13 मार्च, 1974

**का० प्रा० 895.**—गांडीय नौकरहन बोर्ड नियम, 1960 के नियम 3 के साथ पांच अधिकार पांत अधिनियम 1958 (1958 का 44) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा, केंद्रीय सरकार एतद्वारा एक गांडीय नौकरहन बोर्ड की स्थापना करनी है जिसके निम्नलिखित भद्रस्य होंगे और संसद मदस्य श्री सी० प्र० म॒० स्टीफेन को उक्त बोर्ड के प्रध्यक्ष मनोनीत करनी है, प्रथात्:—

1. श्री सी० प्र० स्टीफेन	नौकरहन बोर्ड निर्वाचित
2. श्री कैलाश	
3. श्री मुम्बू इस्माइल	
4. श्री आर० श्री० स्वामीनाथन	
5. श्री सरदार ग्रमजद अली	राज्य सभा द्वारा निर्वाचित
6. श्री टी० क० श्रीनिवासन	

7. मन्त्री, नौकरहन और परिवहन मंत्रालय प्रथवा	केंद्रीय सरकार के प्रतिनिधि
उसके द्वारा नामित किया गया अधिकारी जिसका पद संयुक्त सचिव से नीचे न हो।	
8. सचिव, वाणिज्य मंत्रालय, प्रथवा उसके द्वारा नामित अधिकारी जिसका पद संयुक्त सचिव से कम न हो।	
9. श्री प्र० श्री० भावे	
10. श्री बाई० हल्णन	पांत स्वामियों के प्रतिनिधि
11. रियर प्र० मिरज़ एन० पी० बनाए० बी० ए० ए०	
ए०	
12. प्रध्यक्ष विधिग कारपोरेशन आफ इंडिया	
13. श्रीमती सुमित्र मुरलीदासी	पांत स्वामियों के प्रतिनिधि
14. श्री बसंत जे० श्री०	
15. कप्तान जे० सी० आनन्द	
16. श्री जे० आर० रहेरी	
17. श्री ल्यू वारनेस	नाविकों के प्रतिनिधि
18. श्री असीत मित्र	
19. श्री के० के० खाडिलकर	
20. श्री टी० ए० परिष्य	
21. श्री बी० डी० श्रीमुल	अत्य हित
22. श्री हरीश सी० मोहन्ना	

2. केंद्रीय सरकार श्री एन० के० गोपालन नेयर, उपनीवहन महानिदेशक को एतद्वारा उक्त बोर्ड का सचिव नियुक्त करनी है।

[मा० 37-ए० टी० (10)/73]

ब० ह० राही, प्रधर मन्त्रि

**MINISTRY OF SHIPPING AND TRANSPORT**

**(Transport Wing)**

New Delhi, 13th March, 1974

**S.O. 895.**—In exercise of the powers conferred by section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with rule 3 of the National Shipping Board Rules, 1960, the Central Government hereby establishes a National Shipping Board consisting of the following members and nominates Shri C.M. Stephen, M.P., to be the Chairman of the said Board, namely:—

1. Shri C.M. Stephen	Elected by Lok Sabha.
2. Dr. Kailash	
3. Shri Mohammad Ismail.	
4. Shri R.V. Swaminathan	

5. Shri Sardar Amjad Ali	Elected by Rajya Sabha
6. Shri T.K. Srinivasan	
7. Secretary, Ministry of Shipping & Transport or an Officer not below the level of Joint Secretary nominated by him.	
8. Secretary, Ministry of Commerce, or an Officer not below the rank of Joint Secretary nominated by him.	Central Government Representatives.
9. Shri S.V. Bhave	
10. Shri Y. Krishnan	
11. Rear Admiral N.P. Datta, AVSM.	
12. Chairman, Shipping Corporation of India.	
13. Smt Sumati Morarjee	Representatives of Shipowners.
14. Shri Vasant J. Sheth	
15. Cap. J.C. Anand	
16. Shri J. D. Randri	Representatives of Seamen
17. Shri Leo Barnes	
18. Shri Asit Mitra	
19. Shri K.K. Khadilkar	Other Interests.
20. Shri D.M. Parekh	
21. Shri V.D. Chowgule	
22. Shri Harish C. Mohindra	

2. The Central Government hereby appoints Shri N.K. Gopalan Nair, Deputy Director General of Shipping, to be the Secretary of the said Board.

[No. 37-MD(10)/73]

B. K. SAHI, Under Secy.

#### प्रादेश

नई विल्नी, 23 मार्च, 1974

का० प्रा० 896.—व्यापार पोत प्रधिनियम, 1958 (1958 का 44) की धारा 7 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा निर्देश देती है कि उसने अधिनियम की धारा 298 की उपधारा (20) तथा धारा 454A द्वारा प्रयोग की जाने वाली शक्तियों का नीवहन महानिरेक द्वारा भी प्रयोग किया जा सकेगा।

[म० 11-एम० ट० ओ० भ० (47)/73-एम०ए०]

धी० वी० सुब्रह्मण्यम, उप. मन्त्री,

#### ORDER

New Delhi, the 23rd March, 1974

**S.O. 896.**—In exercise of the powers conferred by sub-section (2) of section 7 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby directs that the powers exercisable by it under sub-section (2A) of section 298 and section 454A of the said Act shall be exercisable also by the Director General of Shipping.

[No. 11-MTO (47)/73-M/A]

V. V. SUBRAHMANYAM, Dy. Secy.

#### श्रम संवालय

#### प्रादेश

नई विल्नी, 25 फरवरी, 1974

का० प्रा० 897.—यतः केन्द्रीय सरकार की गत्र है कि इसमें उपायक भनुसूची में विनिर्दिष्ट विषयों के बारे में भारतीय सेन्ट्रल बैंक के

प्रबन्धनतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीधोगिक विवाद विद्यमान है;

और यह केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करता बांधनीय समझती है;

अतः अब, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के लिए (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एवं द्वारा एक श्रीधोगिक अधिकरण गठित करती है, जिसके पीछासीन अधिकारी श्री उपदेश नारायण माथुर होंगे जिनका मुख्यालय जयपुर में होगा श्रीग उक्त विवाद को उक्त श्रीधोगिक अधिकरण को न्यायनिर्णय के लिए निर्देशित करती है।

#### प्रनुसूची

“क्या श्री छोटे गिह आर्म्ड गार्ड उम तारीख से जिस तारीख को श्री प्रह्लाद मिश्र को प्रगस्त, 1972 में चालक का विशेष भत्ता प्राप्त जाना दिया गया है, विशेष भत्ता का हकदार है? यदि नहीं तो वह किस अनुरोध का हकदार है?”

[सं० ए० 12012/142/73-ए० आर० III]

पी पी कन्यम, अवर मन्त्री

#### MINISTRY OF LABOUR

#### ORDER

New Delhi, the 25th February, 1974

**S.O. 897.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Updesh Narain Mathur shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

“Whether Shri Chhotu Singh, Armed Guard is entitled for special allowance with effect from the date Shri Prahalad Singh has been allowed special allowance as Driver in August, 1972? If not, to what relief is he entitled?”

[No. L. 12012/142/73/1 R III]

New Delhi, the 23rd March, 1974

**S.O. 898.**—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by Shri C. T. Chelliah ex-employee of the Bank of Madura Limited which was received by Central Government on the 20th March, 1974.

**BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS**  
**Complaint No 8 of 1973 in Industrial Dispute No. 1 of 1973.**  
**BETWEEN**

Thiru C. T. Chelliah, 9/21, Jawaharlal Street, Kandanur,  
 Ramnad District—Complainant.

AND

The management of Bank of Madura Limited, 33, North  
 Chitrai Street, Madurai—Opposite party.

**Complaint under section 33-A of the Industrial Disputes  
 Act, 1947.**

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal, A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiru M. R. Narayanaswami, Advocate for the opposite party and having stood over till this day for consideration, this Tribunal made the following:—

**AWARD**

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that he belongs to the category of apprentice clerks having been appointed on 22-7-1972 and that was discharging the regular clerical duties in the Bank for about 12 months and that he is a workman concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerk during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complaint is that the opposite party by the order No. C.O. Sl. 3379/73 dated 26-7-1973 terminated his services and relieved him on payment of one month's salary in lieu of notice on the ground that his services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that his services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating his services and no opportunity was given to him before removing him from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any mis-conduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving him from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that his appointment is terminable at one month's notice on either side. Ex. M-2

is the copy of the order stating that the services of the complainant were not required any longer and so he would be relieved from the Bank at the close of business on 31-7-1973 as his performance during the apprenticeship period is not satisfactory.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

“Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner, to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal), shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly.”

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator) or a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
  - (a) in regard to any matter connected with the dispute alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or
  - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice clerk in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972-I-L.L.J.—page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But

the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.
3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"As your performance during the apprenticeship period is not satisfactory, your services are no longer required and the Chairman has ordered for your relief. Accordingly you will be relieved from the Bank's service as at the close of business on 31-7-1973."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the overall result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct.

Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965-I-L.L.J page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice.

8. The learned counsel for the complainant referred me to a decision reported in 1966-I-L.L.J at page 400 (Utkal Machinery, Ltd. Vs. Santi Patnaik Miss). My attention has to be drawn to the following observation, which reads as follows:—

"In the absence of any standing order the unsatisfactory work of an employee may be treated as misconduct and when the respondent was discharged according to the management for unsatisfactory work it should be taken that her discharge was tantamount to punishment for an alleged misconduct."

9. The learned counsel for the management argued that this observation should not be taken into consideration, because it was an observation made with reference to a decision concerned in a reference under section 10(1) of the Industrial Disputes Act and the context in which it has been made should be taken into consideration and the observations relied upon by the complainant's counsel cannot be applied to the facts of our case. There is considerable force in this argument. Further in a later case, reported in 1972-I-L.L.J which arose directly for consideration of Section 33-A and Section 33 Their Lordships of the Supreme Court have observed as follows at page 509:—"The fact that the employer is not fully satisfied with the overall result of the performance of his duties by his employee does not necessarily imply misconduct on his part." The order seen in Ex. M-2 namely, performance during the apprenticeship was not satisfactory cannot denote misconduct. Generally in writing confidential sheets of employees, the administrative head of office or the concerned Officer would give his remarks with regard to his work, conduct and character. In some cases, the work may be unsatisfactory and at the same time his conduct and character may be good. In some cases, the concerned workman and the clerk may be very efficient in their duties, but at the same time their conduct and character may be bad. So unsatisfactory work does not necessarily mean misconduct on the part of the employee.

10. In the result, the complaint is dismissed. There will be no order as to costs.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Presiding Officer

#### WITNESSES EXAMINED

For both sides : None.

#### DOCUMENTS MARKED

For worker : Nil.

## For management :

Ex. M-1/22-7-72—Order of appointment issued to the complainant.

Ex. M-2/26 7-73—Order of termination issued to the complainant.

T. PALANIAPPAN, Presiding Officer.

Note : The parties are directed to take return of their documents within six months from the date of the award.

[No. L. 12025/18/74/L.R.III]

**S.O. 899.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the Kharonia and Gaurishankar Mica Mines of Messrs Gurcharan Ram & Sons, Mica Mine Owners, Post Office, Jhumritelaiya, District Hazaribagh and their workmen, which was received by the Central Government on the 15th March, 1974.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 1, AT DHANBAD**

In the matter of a reference under section 10(i)(d) of the Industrial Disputes Act, 1947.

**Reference No. 4 of 1973**

## Parties :

Employers in relation to the Kharonia and Gaurishankar Mica Mines owned by Messrs Gurcharan Ram and Sons, Mica Mine Owners, Post Office Jhumritelaiya, District Hazaribagh and their workmen.

## Present :

Mr. Justice D. D. Seth (Retd.), Presiding Officer.

## Appearances :

For the Employer.—Shri Parmeshwar Prasad, Partner, Gurcharan Ram and Sons.

For the Workmen.—Shri Shankar Dayal Singh, President, Metalliferous Mines Workers and Officials Association

AND

Shri Bhubaneshwar Singh, General Secretary, Abrak Mazdoor Panchayat.

**State : Bihar**

**Industry : Mica.**

**AWARD**

The present reference arises out of Order No. L-29011/4/72-LR.IV., dated New Delhi, the 17th January, 1973 passed by the Central Government in respect of an Industrial Dispute between the parties mentioned above. The Subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows:—

"Whether the demand of the workmen employed in Kharonia and Gaurishankar Mica Mines of Messrs. Gurcharan Ram and Sons, Mica Mine Owners, Post Office Jhumritelaiya, District Hazaribagh for payment of bonus ( $\text{a} 20\%$ ) of the wages earned by them for the accounting years 1968, 1969 and 1970 is justified? If not, to what quantum of bonus are the workmen entitled for each of the above three years?".

2. The dispute has been settled out of Court. A memorandum of settlement, dated the 11th March, 1974 has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the terms and conditions laid down in the Memorandum of Settlement. I accept

it and make an award accordingly. The memorandum of settlement shall form part of the award.

Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD**  
**Reference No. 4 of 1973**

## Parties to the dispute :

M/s. Gurcharan Ram & Sons, Owners of Mica Mines, P.O. Jhumritelaiya, District Hazaribagh, Bihar.

AND

Their workmen, represented by Metalliferous Mines Workers Association, P.O. Kodarma, District Hazaribagh and Metalliferous Mine Officials Association, Kodarma, District Hazaribagh, and Abrak Mazdoor Panchayat, P.O. Jhumritelaiya, District Hazaribagh.

Most respectfully, the petitioners beg to submit as under :—

1. That they have been negotiating directly for an amicable settlement of the dispute pending adjudication before the honourable court.

2. That they have since agreed to settle the dispute on the following terms, without prejudice to the stand taken by each party in the instant dispute :

(a) That the management shall pay to the entitled workmen an ex-gratia payment ( $\text{a} 6\%$ ) of the total earnings of such workmen in addition to the bonus already paid ( $\text{a} 4\%$  in respect to each accounting year commencing in the years 1968, 1969 and 1970.

(b) That the above ex-gratia payment shall be made to all the entitled workmen who were on the roll of the employers as on 31-12-1972.

(c) That the above mentioned ex-gratia payment shall be made in three instalments to be paid in the month of August, 1974, October 1974 and December, 1974.

The petitioners therefore pray this honourable court to accept this compromise settlement and pass an award on the same basis as the parties are convinced that the same is fair and just.

For and on behalf of  
Workmen

For and on behalf of  
Management.

Sd/-  
President,  
Met. Mines Workers  
and Officials  
Association  
Kodarma.

Sd/-  
Genl. Secretary,  
Abrak Mazdoor,

Panchayat,  
Jhumritelaiya.

Sd/-  
Partner  
Gurcharan Ram &  
Sons, Jhumritelaiya.

D. D. SETH, Presiding Officer.

Dhanbad, the 11th March, 1974

[No. L-28011/4/72-LR.IV]

**S.O. 900.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Madras in respect of a complaint under Section 33-A of the said Act filed by A. V. Rama ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

### BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

#### Complaint No. 2 of 1973 in Industrial Dispute No. 1 of 1973

##### Present :

Thiru T. Palaniappan, B.A., B.L., Industrial Tribunal.

##### BETWEEN

A. V. Rama, C/o. Bank of Madura Ltd.,  
Royapettah High Road,  
Madras. ... Complaint.

##### AND

The management of Bank of Madura Limited,  
33, North Chitrai Street Madurai. ... Opposite party.

#### Complaint under section 33-A of the Industrial Disputes Act, 1947

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal, A. I. Somayaji and R. Jamal Nazeen, Advocates for the complainant and of Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following.

#### AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 9 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 1031/73 dated 2-4-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court that her services were terminated by way of victimisation and for ulterior motives and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice and that the termination was not for any mis-conduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary ob-

jection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. This management alone filed two documents marked as Ex. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank with immediate effect and she was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
  - (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceedings; or
  - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972-I-L.L.J.—

page 501 (Air-India Corporation, Bombay Vs. V. A. Rebello and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965.

(Thru: The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the bank with immediate effect. You will be paid one month stipend in lieu of notice."

This order is practically the same as the order which came up for consideration in the Supreme Court decision, Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned Counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer

has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the overall result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965-I-L.L.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Presiding Officer

#### WITNESSES EXAMINED

For both sides.—None.

#### DOCUMENTS MARKED

For worker.—Nil.

For management :

Ex. M-1/21-6-72.—Order of appointment issued to the Complainant.

Ex. M-2/2-4-73.—Order of termination issued to the Complainant.

T. PALANIAPPAN, Presiding Officer

Madras, the 20th February, 1974

Note: The parties are directed to take return of their documents within six months from the date of the award.

[No. L. 12025/16/74/LRIII]

S.O. 901.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by S. V. Visalakshi ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

**BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS**  
PRESENT

Thiru T. Palaniappan, B.A., B.L., Industrial Tribunal.

**Complaint No. 3 of 1973 in Industrial Dispute No. 1 of 1973**

**BETWEEN**

S. Visalakshi, C/o Bank of Madura Limited, Devakottai. ....Complainant.

**AND**

The management of Bank of Madura Limited, 33, North Chitrai Street, Madurai. ....Opposite party.

**Complaint under section 33-A of the Industrial Disputes Act, 1947**

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following:—

**AWARD**

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 9 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 1030/73 dated 2-4-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that her services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the

complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank with immediate effect and she was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
  - (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or
  - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—I—I.L.J.—page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and

Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with Air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated, June 19, 1965

(Thru: The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the bank with immediate effect. You will be paid one month stipend in lieu of notice."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the

complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I—I.L.J page 422 (Murugan Mills Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

#### WITNESSES EXAMINED

For both sides.—None.

#### DOCUMENTS MARKED

For worker.—Nil.

For management :

Ex. M-1/21-6-72.—Order of appointment issued to the Complainant.

Ex. M-2/2-4-73.—Order of termination issued to the complainant.

NOTE : The parties are directed to take return of their documents within six months from the date of the award.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Presiding Officer  
New Delhi, the 23rd March, 1974

S.O. 902.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33A of the said Act filed by S. Aruna Devi ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS  
**Complaint No. 4 of 1973 in Industrial Dispute No. 1 of 1973**

## BETWEEN

S. Aruna Devi, D/o Thiru K. N. Srinivasan,  
 44, Sundararajapuram,  
 Madurai-11. ....Complainant.

## AND

The management of Bank of Madurai Limited, 33,  
 North Chitrai Street, Madurai ....Opposite party.  
**Complaint under section 33-A of the Industrial Disputes Act, 1947.**

This complaint coming on for final hearing on Saturday, the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following:—

## AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 9 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 1034/73 dated 2-4-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that her services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management

respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank with immediate effect and she was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is :

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
  - (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding ; or
  - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—L.I.J.—page 501 (Air-India Corporation, Bombay Vs. V. A. Rebello and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses

and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows :—

"CONFIDENTIAL

Dated, June 19, 1965

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows :—

"Since your services are not required you are relieved from the bank with immediate effect. You will be paid one month stipend in lieu of notice."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply

misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I-L.L.J. page 422 (Murugan Mills, Ltd., Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

#### Witnesses Examined

For both sides—None.

#### Documents Marked

For worker—Nil.

For management :

Ex. M-1/21-6-1972—Order of appointment issued to the Complainant.

Ex. M-2/4-1973—Order of termination issued to the complainant.

Sd/-

T. PALANIAPPAN, Presiding Officer

Note : The parties are directed to take return of their document/s within six months from the date of the award.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Industrial Tribunal

[No. L. 12025/15/74/LRIII]

New Delhi, the 25th March, 1974

S.O. 903.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal, Rajasthan, Jaipur in the industrial dispute between the employers in relation to the management of Satalkheri (Nayaagaon) Lime Stone Mines owned by Shri Sultan Akhtat Post Office, Ramganjmandi and their workmen, which was received by the Central Government on the 18th March, 1974.

#### CENTRAL INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR

Present :

Shri Updesh Narain Mathur, Judge.

Case No. C.I.T. 23/72

Ref. :—Ministry of Labour, Employment and Rehabilitation (Department of Labour & Employment) Department No. 1-29012/3/71-I R-IV dated 6-4-71.

In the matter of an Industrial Dispute  
BETWEEN

The Pathar Khan Mazdoor Sangh, Kota.

AND

The Satalkheri (Nayagaon) Limestone Mines of Shri Sultan Akhtar, Post Office, Ramganjmandi (Distt. Kota).

**Appearances :**

For the Sangh—Shri Mahaveer Prasad Sharma.  
For the Management—Shri P. C. Jain.

Date of Award—24-1-1974.

**AWARD**

The Central Government has made the following reference to this Tribunal for adjudication :—

"whether Shri Shubrati, Chowkidar in Satalkheri (Nayagaon) Limestone Mines of Shri Sultan Akhtar, Post Office, Ramganjmandi (District Kota) was illegally stopped from work with effect from the 22nd December, 1968 by fraudulently obtaining from him, on the 5th October, 1968, a letter of resignation? If not, to what relief is he entitled?"

The statement of claim was filed by the Pathar Khan Mazdoor Sangh, Kota and reply to this claim also filed by the Proprietor of the Company. Before evidence could be completed, the representative of the Sangh submitted before the Tribunal that since the workman concerned in the dispute has expired and the Sangh does not want to pursue the dispute. He asked for a no dispute award, hence a no dispute award is passed.

U. N. MATHUR, Judge,  
Presiding Officer

[No. L-29012/3/71-LRIV]

New Delhi, the 26th March, 1974

**S.O. 904.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by M. R. Narmatha ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

**BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS**

**Complaint No. 7 of 1973 in Industrial Dispute No. 1 of 1973**

**BETWEEN**

M. R. Narmatha, C/o Thiru J. K. Nagai, 59, Valluvar Nagar, Reserve Lane Post, Madurai-14. .... Complainant.

**AND**

The management of Bank of Madura Limited, 33, North Chitrai Street, Madurai . . . . Opposite party.

**Complaint under section 33-A of the Industrial Disputes Act, 1947**

This complaint coming on for final hearing on Saturday, the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of

Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following:

**AWARD**

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 12 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 2820/73 dated 23-6-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that her services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award reinstating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank at the close of business on 2-7-1973 as her performance during the apprenticeship period is not satisfactory.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows :—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings. Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such

contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is :

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
  - (a) in regard to any matter connected with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or
  - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice clerk in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972-I-L.L.J.-page 501 (Air-India Corporation, Bombay Vs. V. A. Rebello and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows :—

"CONFIDENTIAL

Dated June 19, 1965

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which were hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"As your performance during the apprenticeship period is not satisfactory, your services are no longer required and the Chairman has ordered for your relief. Accordingly you will be relieved from the Bank's service as at the close of business on 2-7-1973."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965-I-L.L.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the Industrial Tribunal can go into the the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice.

8. The learned counsel for the complainant referred me to a decision reported in 1966-I-L.L.J. at page 400 (Utkal Machinery, Ltd., Vs. Santi Patnaik (Miss)). My attention has

to be drawn to the following observation, which reads as follows :—

"In the absence of any standing order the unsatisfactory work of an employee may be treated as misconduct and when the respondent was discharged according to the management for unsatisfactory work it should be taken that her discharge was tantamount to punishment for an alleged misconduct."

9. The learned counsel for the management argued that this observation should not be taken into consideration, because it was an observation made with reference to a decision concerned in a reference under section 10(1) of the Industrial Disputes Act and the context in which it has been made should be taken into consideration and the observations relied upon by the complainant's counsel cannot be applied to the facts of our case. There is considerable force in this argument. Further in a later case, reported in 1972-1-L.L.J. which arose directly for consideration of Section 33-A and Section 33, Their Lordships of the Supreme Court have observed as follows at page 509 :— "The fact that the employer is not fully satisfied with the overall result of the performance of his duties by his employee does not necessarily imply misconduct on his part." The order seen in Ex. M-2 namely, performance during the apprenticeship was not satisfactory cannot denote misconduct. Generally in writing confidential sheets of employees, the administrative head of office or the concerned Officer would give his remarks with regard to his work, conduct and character. In some cases, the work may be unsatisfactory and at the same time his conduct and character may be good. In some cases, the concerned workman and the clerk may be very efficient in their duties, but at the same time their conduct and character may be bad. So unsatisfactory work does not necessarily mean misconduct on the part of the employees.

10. In the result, the complaint is dismissed. There will be no order as to costs.

Dated, this the 20th day of February, 1974.

#### Witnesses Examined

For both sides—None.

#### Documents Marked

For worker—Nil.

For management :

Ex. M-1/21-6-1972—Order of appointment issued to the complainant.

Ex. M-2/23-6-1973—Order of termination issued to the complainant.

Note : The parties are directed to take return of their document/s within six months from the date of the award.

[No. L-12025/12/74-T R-II]

T. PALANIAPPAN, Presiding Officer

**S.O. 905.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by Shri Thiru S. Rangarajan ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

#### BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Complaint No. 6 of 1973 in Industrial Dispute No. 1 of 1973

#### BETWEEN

Thiru S. Rangarajan, C/o Bank of Madura Limited, No. 2, Old Post Office Street, Muthupet, Thanjavur District.

Complainant.

#### AND

The management of Bank of Madura Limited, 33, North Chitrai Street, Madurai.... Opposite party.

#### Complaint under section 33-A of the Industrial Disputes

#### Act, 1947

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal. A. L. Somayaji and R. Jamal Mazeen, Advocates for the complainant and of Thiruvalargal M. R. Narayanswami and K. R. Vijayakumar, Advocate for the opposite party and having stood over till this day for consideration, this Tribunal made the following :

#### AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that he belongs to the category of apprentice clerks having been appointed on 22-7-1972, and that was discharging the regular clerical duties in the Bank for about 11 months, and that he is a workman concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 2859/73 dated 27-6-1973 terminated his services and relieved him on payment of one month's salary in lieu of notice on the ground that his services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that his services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating his services and no opportunity was given to him before removing him from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any mis-conduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving him from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that his appointment is terminable at one

month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so he would be relieved from the Bank with immediate effect and he was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly".

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

(1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall:—

- (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or
- (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—I—L.L.J.—page 501 (Air-India Corporation, Bombay Vs. V.A. Rebello and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman that the discharge in that case

was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965.

(Through the Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.
3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR INDIA"

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe that impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the Bank with immediate effect. You will be paid one month stipend in lieu of notice".

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I.L.L.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

#### **Witnesses Examined**

For both sides—None.

#### **Documents Marked**

For Worker—Nil.

For management—

Ex. M-1/22-7-1972—Order of appointment issued to the complainant.

Ex. M-2/27-6-1973—Order of termination issued to the Complainant.

NOTE : The parties are directed to take return of their document/s within six months from the date of the award.

Dated, this the 20th day of February, 1974.

[No. L. 12025/13/74 LR III]

T. PALANIAPPAN, Industrial Tribunal.

**S.O. 906.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33A of the said Act filed by Shri R. Mahalingam ex-employee of the Bank of Madurai Limited which was received by Central Government on the 20th March, 1974.

[No. L.12025/14/74/LR III]

P. P. KANTHAN, Under Secy.

#### **BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS**

#### **Complaint No. 5 of 1973 in Industrial Dispute No. 1 of 1973**

#### **BETWEEN**

Thiru R. Mahalingam, B.A. Mettuncerethan, Audipatty Post, Madurai District.

Complainant.

#### **AND**

The management of Bank of Madura Limited. 33, North Chitrai Street, Madurai

Opposite party.

#### **Complaint under section 33-A of the Industrial Disputes Act, 1947**

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon pursuing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following.

#### **AWARD**

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rules 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that he belongs to the category of apprentice clerks having been appointed on 8-11-1972, and that was discharging the regular clerical duties in the Bank for about 7-1/2 months, and that he is a workman concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 2717/73 dated 15-6-1973 terminated his services and relieved him on payment of one month's salary in lieu of notice on the ground that his services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that his services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating his services and no opportunity was given to him before removing him from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any mis-conduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving him from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that his appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so he would be relieved from the Bank with immediate effect and he was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had

contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal) any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly".

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

(1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

(a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or

(b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—I.L.J.—page 501 (Air-India Corporation, Bombay Vs. V.A. Rebello and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason,

and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965.

Chiu : The Commercial Manager, Cargo

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.
3. Your accounts will be settled after checking your commitments.

Yours faithfully,  
AIR INDIA"

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe that impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the Bank with immediate effect. You will be paid one month stipend in lieu of notice".

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which promoted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I.L.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another).

In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

#### Witnesses Examined

For both sides—None.

#### Documents Marked

For worker—Nil.

For management—

Ex. M-1/8-11-1972—Order of appointment issued to the Complainant.

Ex. M-2/15-6-1973—Order of termination issued to the complainant.

Presiding Officer.

NOTE : The parties are directed to take return of their document/s within six months from the date of the award.

Dated, this the 20th day of February, 1974.

Sd/- T. PALANIAPPAN,  
Industrial Tribunal.

[No. L. 12025/14/74/LRIII]  
P. P. KANTHAN, Under Secy.

नई दिल्ली, 23 मार्च 1974

का०ग्रा० 907—यत. मुम्बई प्रारजिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) रक्कीम, 1957 में संशोधन करने के लिए कानूनपत्र प्राप्त्यक्षमता स्कीम, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (I) द्वारा यथोपेक्षण, भारत सरकार के भूतपूर्व श्रम और पुनर्वाप्ति मन्त्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का०ग्रा० 2907, तारीख 25 सितम्बर, 1973 के अधीन, भारत के राजपत्र, भाग 2, छंड 3, उपचंड (II), तारीख 6 अक्टूबर, 1973, पृष्ठ 3495-96 पर प्रकाशित की गई थी, जिसमें उन सभी व्यक्तियों से, राजपत्र में इसके प्रकाशन की तारीख से भो माम की प्रवर्धी की समाप्ति तक आक्षेप या सम्माव नहीं गए थे, जिनका उसमें प्रभावित होना संभव्य है;

श्रम यत: उक्त राजपत्र जनता को 6 अक्टूबर 1973 को उपलब्ध करा दिया गया था;

श्रम यत: केन्द्रीय सरकार द्वारा उक्त प्राप्ति पर जनता से कोई आक्षेप या सम्माव प्राप्त नहीं हुए है।

श्रम: केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 4 की उपधारा (I) प्रदल्न जनितयों का प्रयोग करने द्वारा, मुम्बई प्रारजिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 में श्रम संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, अर्थात्—

1. संक्षिप्त नाम और प्रारम्भ:—इस स्कीम का संक्षिप्त नाम मुम्बई प्रारजिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1974 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रदल्न होती।

2. मुम्बई प्रारजिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 में, छंड 12-क के पश्चात, निम्नलिखित छंड अंतर्धापित किया जाएगा, प्रथम:—

“12-ख महाराष्ट्र भना मज़दूरी श्रीम अन्य भन्नों के बकाएः गठित किए गए किसी बोर्ड या निकाय के किसी अधिनियम या सिफारिश या केन्द्रीय सरकार द्वारा किए गए किसी श्रावण के अनुमति में भूतलक्षी प्रभाव से महाराष्ट्र भने के किसी पुनरीक्षण या पुनरीक्षण सज़दूर्गियों या अन्य भन्नों के अनुदान की दशा में, बोर्ड सूचीगत कर्मकारों की अधिनियम की या यथास्थिति, सिफारिश या श्रावण की तारीख तक बकाएः का, यदि बोर्ड एमा विनियम करे, संदाय अपना निधि में से कर सकेगा।”

[फा० भ० 7/012/2/73- पी डी एंड]

New Delhi, the 23rd, March, 1974

**S.O. 907.**—Whereas certain draft scheme to amend the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), at pages 3495-96 of the Gazette of India, Part-II Section 3, sub-section (ii) dated the 6th October, 1973, under the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment), No. S.O. 2907, dated the 25th September, 1973, inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of two months from the date of its publication in the Official Gazette,

And Whereas the said Gazette was made available to the public on the 6th October, 1973;

And Whereas no objections or suggestions have been received from the public on the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme further to amend the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, namely:—

1. Short title and commencement.—This Scheme may be called the Bombay Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1974.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, after clause 12-A the following clause shall be inserted, namely:—

“12-B. Arrears of Dearness Allowance, wages and other allowances.—In case of any revision of dearness allowance or grant of revised wages or other allowances, with retrospective effect, in pursuance of any award or recommendation of any board or body set up, or of any order made by the Central Government, the board may out of its funds, pay the listed workers arrears upto the date of the award, or as the case may be, of the recommendation or order, if the Board so decides.”

[F. No. S-70012/2/73-P & D]

का०ग्रा० 908—यत. मध्यम प्रारजिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 में संशोधन करने के लिए कानूनपत्र प्राप्त्यक्षमता स्कीम, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (I) द्वारा यथोपेक्षण, भारत सरकार के भूतपूर्व श्रम और पुनर्वाप्ति मन्त्रालय (श्रम और रोजगार विभाग)

की अधिसूचना संकाऽप्रा० 2168, तारीख 16 जूनाई, 1973 के अधीन, भारत के राजपत्र, भाग 2, छंड 3, उपचंड (II), तारीख 4 अगस्त, 1973, पृष्ठ 2693 पर प्रकाशित की गई थी। जिसमें उन सभी अधिकारियों में, राजपत्र में हमें प्रकाशन की तारीख में दो मास की अवधि की समाप्ति तक आक्षेप या सुनाव मार्गे गए थे, जिनका उससे प्रभावित होना संभाय्य है।

श्रीर यतः उक्त राजपत्र जनना को 4 अगस्त, 1973 को उपलब्ध करा दिया गया था;

श्रीर यतः उक्त प्रारूप पर जनना में कोई आक्षेप या सुनाव प्राप्त नहीं हुए हैं;

अतः मत्र, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त अधिकारियों का प्रयोग करने हुए, मद्रास अर्जिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 में संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, प्रथमतः—

1. संक्षिप्त नाम प्रौर प्रारंभः (1) इस स्कीम का संक्षिप्त नाम प्रर्जिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) द्वितीय संशोधन स्कीम, 1974 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रदूत होगी।

2. मद्रास अर्जिस्ट्रीकून डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 में, छंड 16 के उपचंड (2) में, "आँड" शब्द के स्थान पर, "प्रध्यक्ष" शब्द रखा जाएगा।

[फा० सं० 5-13011/5/72-पीएंडडी]

S.O. 908.—Whereas certain draft scheme to amend the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1968 was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) at page 2693 of the Gazette of India, Part-II, section 3, sub-section (ii), dated the 4th August, 1973 under the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment), No. S. O. 2168, dated the 16th July, 1973 inviting objections or suggestions from all persons likely to be affected thereby, till the expiry of a period of two months from the date of its publication in the Official Gazette

And Whereas the said Gazette was made available to the public on the 4th August 1973;

And whereas no objections or suggestions have been received from the public on the said draft;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme to amend the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1968, namely:—

1. Short title and commencement—(1) This Scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) Second Amendment Scheme, 1974.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1968, in clause 16, in sub clause (2), for the word "Board", the word "Chairman" shall be substituted.

III. No. V. 13011/5/72-P & D]

का०प्रा० 909—यतः कलकत्ता डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1970 में संशोधन करने के लिए कर्तिपय प्रारूप स्कीम, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा यथावेक्षित, भारत सरकार के भूमपूर्व श्रम और पूनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का०प्रा० 2503, तारीख 17 अगस्त, 1973 के अधीन, भारत के राजपत्र, भाग 2, छंड 3, उपचंड (II), तारीख 1 गितम्बर, 1973, पृष्ठ 2993 पर प्रकाशन की गई थी जिसमें उन सभी अधिकारियों से राजपत्र में हमें प्रकाशन की तारीख से पैनालीम दिन की अवधि की समाप्ति तक आक्षेप या सुनाव मार्गे गए थे, जिनका उससे प्रभावित होना संभाय्य है।

श्रीर यतः उक्त राजपत्र जनना को 1 गितम्बर, 1973 को उपलब्ध करा दिया गया था;

श्रीर यतः केन्द्रीय सरकार द्वारा उक्त प्रारूप पर जनना से कोई आक्षेप या सुनाव प्राप्त नहीं हुए हैं;

अतः यत्र, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त अधिकारियों का प्रयोग करने हुए, कलकत्ता डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1970 में संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, प्रथमतः—

1. संक्षिप्त नाम प्रौर प्रारंभः (1) इस स्कीम का संक्षिप्त नाम कलकत्ता डाक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1974 है।

(2) यह स्कीम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगा।

2. कलकत्ता डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1970 में, छंड 20 के उपचंड (2) में, मद (ग), (घ) और (इ) के स्थान पर, क्रमणः निम्नलिखित मद यद्यो जाएगी प्रथमतः—

"(ग) अनन्तिम रजिस्ट्रीकरण पृष्ठ होंते के पश्चात् गंभीर रजिस्ट्रीकून कर्मवारों में से चक्रानुक्रम से कर्मकारों की बृक्षिका, उस प्रक्रम में, निम्नलिखित को छोड़कर, विचीय प्रमुखिया दिए जिना आरंभ किया जाएगा—

(i) ऐसे कर्मकारों की, उनके द्वारा आस्तव में काम किए गए विनों के लिए प्रादृभूत सकल मजदूरी, इस शर्त के अधीन कि किसी एक मास में कम से कम 12 दिन की सकल मजदूरी हो, और

(ii) पत्तन-बन्द दिनों के लिए केवल अवकाश मजदूरी।

(घ) अनन्तिम रजिस्ट्रीकून कर्मकारों द्वारा वास्तविक रूप में प्राप्त नियोजन की दृष्टि से उह भास के पश्चात् प्रोक्षेष्यों का पूनर्निर्माण किया जाएगा और अनन्तिम रजिस्ट्रीकरण तब लक्ष्यनुसार समाप्तोजित किया जाएगा और इसके पश्चात् कर्मकार निम्नलिखित प्रमुखियाओं के पात्र होंगे, प्रथमतः—

(i) गजाह में बेतन सहित एक प्राराम का दिन (बेतन सहित गोस्तुर आफ़);

(ii) छंड 35 में यथा अधिकारित उपरिधित भत्ते का सदाय, और

(iii) बाँड द्वारा यथा विनियित बीमारी प्रौर आकर्षिक छुट्टी; परन्तु उन कर्मकारों के प्रवर्गों की बीमा में, जहां कि सदृश्य का अन्तिम रजिस्ट्रीकरण गरमपक्ष निर्धारण के पश्चात्, केन्द्रीय सरकार के प्रत्युमोदन से अवश्यानित किया गया था, यहां बाँड ऐसे कर्मकारों को अनन्तिम रजिस्ट्रीकरण के पश्चात् उह भास की समाप्ति पर, अपेक्षाओं किसी के

अन्तिरिक्त प्रतिरोध का भार किए बिना और वर्णित प्रसुशिधाओं को मंजूर कर सकेगा।

(अ) (i) उक्त स्कीम चक्रानुक्रम में शुरू किए गए वर्ष के पश्चात् पुनर्विलोकन के प्रधान हम दृष्टि से होंगी कि, उन दिनों की संख्या नियन्त्रण की जा सके जिन के लिए अंक 34 के अधीन गारन्टी की गई व्यूमतम मजदूरी देनी चाहिए।

परन्तु उन कर्मकारों के प्रवर्यों की दशा में, जहाँ कि अनन्तिम रूप में रजिस्ट्रीकूरण होने वालों की संख्या, सम्यक निर्धारण के पश्चात्, केन्द्रीय सरकार के पूर्व अनुमोदन से प्रवृत्त दृष्टि थी, वहाँ बोर्ड अनन्तिम रजिस्ट्रीकरण के पश्चात् छह मास की समाप्ति पर ऐसे कर्मकारों के लिए उन दिनों की संख्या नियन्त्रण कर सकेगा जिन के लिए गारन्टी की गई व्यूमतम मजदूरी दी जानी चाहिए।

(ii) अनन्तिम रजिस्ट्रीकरण के पश्चात् एक वर्ष की समाप्ति पर कर्मकारों—

(i) उम दशा में पृष्ठ किए गए समझे जाएंगे, जबकि उनका चरित्र और पूर्ववृत्त सन्धारित किए जा चुके हों और वे सतोषप्रद पाए गए हों।

(ii) भवित्व नियन्त्रण में सम्मिलित होने के हकदार होंगे;

(iii) रजिस्ट्रीकरण की तारीख में पश्चा अंतिम विशेषाधिकार छुट्टी देने के हकदार होंगे; और

(iv) स्कीम के अधीन सभी प्रत्येक कार्यदेवाने के हकदार होंगे।

[का० स०बी० 12025/7/72-पी एन्ड डी]

**S.O. 909.**—Whereas certain draft Scheme to amend the Calcutta Dock Workers (Regulation of Employment) Scheme 1970 was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), at pages 2993-94 of the Gazette of India Part-II, section 3, sub-section (ii), dated the 1st September, 1973, under the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment), No. S. O. 2503, dated the 17th August, 1973, inviting objections or suggestions from all persons likely to be affected thereby, till the expiry of a period of forty-five days from the date of its publication in the Official Gazette;

And whereas the said Gazette was made available to the public on the 1st September, 1973;

And whereas no objections or suggestions have been received from the public on the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme to amend the Calcutta Dock Workers (Regulation of Employment) Scheme, 1970, namely:—

1. **Short title and commencement.**—(1) This Scheme may be called the Calcutta Dock Workers (Regulation of Employment) Amendment Scheme, 1974.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Calcutta Dock Workers (Regulation of Employment) Scheme, 1970, in sub-clause (2) of clause 20, for items (c), (d) and (e), the following items shall respectively be substituted, namely:—

(c) After the provisional registration has been completed, the booking of workers in rotation within the number so registered shall start without allowing, at that stage, any financial benefits other than:—

(i) the gross wages which accrue to such workers for the days on which they actually work subject to a minimum of 12 days gross wages in a month, and

(ii) holiday wages for the port closed days only.

(d) A re-assessment of the requirements shall be made after six months in the light of the actual employment obtained by workers provisionally registered and the provisional registration shall then be adjusted accordingly and thereupon, the workers shall be eligible for the following benefits, namely:—

(i) a paid weekly day of rest (Roster off with pay);

(ii) payment of attendance allowance as laid down in clause 35; and

(iii) sick and casual leave as decided by the Board:

Provided that in the case of categories of workers where the number to be provisionally registered was, after due assessment, determined with the approval of the Central Government, the Board may allow the above-mentioned benefits to such workers at the end of a period of six months after provisional registration without undertaking any further reassessment of the requirements.

(e) (i) The aforesaid scheme shall be subject to review after one year from the introduction of the rotational booking with a view to fixing the number of days for which the guaranteed minimum wages under clause 34 should be paid:

Provided that in the case of categories of workers where the number to be provisionally registered was, after due assessment, determined with the prior approval of the Central Government, the Board may, at the end of six months after provisional registration, fix for such workers the number of days for which the guaranteed minimum wages should be paid.

(ii) At the end of one year after the provisional registration, the Workers shall be—

(1) deemed to have been confirmed if their character and antecedents have been verified and found to be satisfactory;

(2) entitled to join the Provident Fund Scheme;

(3) entitled to avail of privilege leave as earned from the date of registration; and

(4) entitled to all other benefits under the Scheme;"

[F. No. V. 12025/7/72-P & D]

प्रावेश

**का०बी० 910.**—यतः केन्द्रीय सरकार की राय है कि इस से उपायुक्त अनुमति से विनियिक विषयों के बारे में मेसर्स सुपरिटेंट कंपनी आफ इच्छिया प्राइवेट लिमिटेड, आम्को-डी-गामा (गोवा) के प्रबंधनन्तर से संबंध नियोजकों और उनके कर्मकारों के बीच एक श्रौतोगिक विवाद विद्यमान है;

श्रौत यतः, केन्द्रीय सरकार उक्त विवाद को न्यायान्तर्णयन के लिए निर्देशित करना चाहनीय समझती है

यतः, श्रौत, श्रौतोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपायाग (1) के अनुसार वारा प्रदल शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधि-

नियम की धारा 7के के अन्तर्गत वेन्ड्रीय सरकार अधिकारीका अधिकारण में 2, मुख्याई को न्याय निर्णयन के लिए निर्देशित करनी है।

### अनुष्ठान

“क्या मैंमर्म मूर्पिटेन्डेन्स कंपनी आफ इंडिया प्राइवेट की श्री लांसटॉ जोसफ मिराण्डा, नमूनाकार एवं टंकर की सेवाओं को समाप्त करने की कारंबाई न्यायांचित है? यदि नहीं तो कमंकार किस अनुत्तोष का लकड़ार है?

[सं. एस-36012/7/74-पी.एड.डी]

वी. संकरालिंगम, अवश्य मनिव

### ORDER

S.O. 910.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Superintendence Company of India Private Limited, Vasc-da-Gama (Goa) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government by refers the said dispute for adjudication to the Central Government Industrial Tribunal, No. 2, Bombay, constituted under section 7A of the said Act.

### SCHEDULE

“Whether the action of Messrs Superintendence Company of India Private Limited in terminating the services of Shri Lancerto Joseph Miranda, Sampler-cum-Typist is justified? If not to what relief the workman is entitled to?”

[No. L-36012/7/74-P & D]

V. SANKARALINGAM, Under Secy.

### पूर्ति और पुनर्वास मंत्रालय

#### पुनर्वास विभाग

नई विल्ली, 23 मार्च, 1974

का०आ० 911.—विस्थापित अधिकारी (प्रतिकरा एवं पुनर्वास) अधिनियम, 1954 (1954 की 44) की धारा 3 की उपधारा (1)द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा केन्द्रीय सरकार इसके द्वारा देनीय बर्तोवत्त आयुक्त (केन्द्रीय) के कार्यालय के प्रबंध अधिकारी श्री एम०वी० भन्ना को उक्त प्रधिनियम द्वारा या उसके अधीन प्रबंध अधिकारियों को भौमि गण कार्यों को करने के लिए आंध्र-प्रदेश, कर्नाटक तथा तमिल नाडु के राज्यों के लिए प्रबंध अधिकारी के रूप में नियुक्त करनी है।

[संख्या 15(1)/74-विषेष भेल/ग्रामा०-४]

श्रीलैन० अमीजा, अवश्य मनिव

### MINISTRY OF SUPPLY & REHABILITATION

#### (Department of Rehabilitation)

New Delhi, the 23rd March, 1974

S.O. 911.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954) the Central Government hereby appoints for the States of Andhra Pradesh, Kerala, Karnataka and Tamil Nadu, Shri M. B. Bhalla, Settlement Officer in the Office of the Regional Settlement Commissioner (Central), New Delhi as Managing Officer for the purpose of performing the functions assigned to such officers by or under the said Act.

[No. 15(1)/74-Spl. Cell/SSIV.]

D. N. ASIJA, Under Secy.

### वित्त मंत्रालय

(आधिकारिक कार्य विभाग)

नई विल्ली, 30 मार्च, 1974

का०आ० 912.—विदेशी मुद्रा विनियमन अधिनियम 1973 (1973 का 46वा०) की धारा 52 की उपधारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार वित्त मंत्रालय (आधिकारिक कार्य विभाग) की 17 जूलाई, 1972 की अधिसूचना संख्या मा० मा० नी० 253 के फस में भारत सरकार एनदब्ल्यूआर श्री वी० वी० स्वरूप, संयुक्त भवित्व और कानूनी मलाहकार विधि न्याय और कम्पनी कार्य मंत्रालय की विदेशी मुद्रा विनियमन अधीकारी बोर्ड का एक अन्य सदस्य नियुक्त करनी है।

[1/67/ई०सी०/71]

कौ० मुख्यालयम, अवश्य मनिव

### MINISTRY OF FINANCE

#### Department of Economic Affairs

New Delhi, the 30th March, 1974

S. O. 912—In exercise of the powers conferred by sub-section (1) of section 52 of the Foreign Exchange Regulation Act, 1973 (46 of 1973), and in continuation of the notifications of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. GSR 862, dated the 17th July, 1972, and No. GSR. 253, dated the 2nd March, 1974, the Central Government hereby appoints Shri P. V. Swaralu, Joint Secretary and Legal Adviser, Ministry of Law, Justice and Company Affairs (Department of Legal Affairs), as another Member of the Foreign Exchange Regulation Appellate Board.

[No. F.1/67/EC/71]

K. SUBRAMANIAN, Under Secy.

### वारीज्ज्य मंत्रालय

(सम्मिली उत्पाद नियर्ति विकास नियंत्रण)

नई विल्ली, 6 अप्रैल, 1974

का. आ. 913.—सम्मिली उत्पाद नियर्ति विकास प्राधिकारी अधिनियम, 1972 (1972 का 13) की धारा 33 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार सम्मिली उत्पाद नियर्ति विकास प्राधिकारी नियम, 1972 में और आगे संशोधन करते हुए एतद्वारा निम्नांकित नियम बनाती हैं। अर्थात् :—

1. इन नियमों का नाम सम्मिली उत्पाद नियर्ति विकास प्राधिकारी (द्वितीय संशोधन) नियम, 1974 होगा।

2. सम्मिली उत्पाद नियर्ति विकास प्राधिकारी नियम, 1972 के नियम 2 में खंड (४) के स्थान पर निम्नांकित खंड रखा जाए, अर्थात् :—

(४) “वर्ष” का अभिप्राय पहली अप्रैल से शुरू होने वाले वर्ष से है;

[फा. सं. 5/57/73-इ०. पी. (पंची 2)]

## MINISTRY OF COMMERCE

New Delhi, the 6th April, 1974

MARINE PRODUCTS EXPORT DEVELOPMENT  
CONTROL.

**S.O. 913.**—In exercise of the powers conferred by section 33 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), the Central Government hereby makes the following rules further to amend the Marine Products Export Development Authority Rules, 1972, namely:—

1. These rules may be called the Marine Products Export Development Authority (Second Amendment) Rules, 1974.

2. In rule 2 of the Marine Products Export Development Authority Rules, 1972, for clause (g), the following clause shall be substituted, namely:—

(g) "year" means the year commencing on the first day of April.'

[File No. 5/57/73-EP(Agri. II)]

का०आ०914.—मासूद्रिक उत्पाद नियान विकास प्राधिकारी ग्रधिनियम 1972 (1972 का 13) की धारा 33 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार मासूद्रिक उत्पाद नियान विकास प्राधिकारी नियम, 1972 में और आगे संशोधन करने के लिये एतद्वारा तिमतिवित नियम बनाती है, अधारत्:—

1. इन नियमों का नाम मासूद्रिक उत्पाद नियान विकास प्राधिकारी (द्वितीय संशोधन) नियम, 1973 है।
2. मासूद्रिक उत्पादन नियान विकास प्राधिकारी नियम, 1972 के नियम 33 के उपनियम (2) में, गारणी में, मद्द 2 तथा उसमें सम्बद्ध प्रविष्टियों के स्थान पर निम्नोक्त मद्द ज्ञाये, अधारत्:—

1

2

रु

## 2. भृत्यारकरण

## (1) भृत्यारकरण तथा प्रशीति

(क) 50 टन की धमता (भृत्यारकरण और प्रशीति दोनों) तक के और उसे सम्मिलित करने हुये भण्डारकरण के लिये . . . . . 50.00

(ख) 50 टन की धमता (भृत्यारकरण और प्रशीति दोनों) से अधिक के भण्डारकरण के लिये . . . . . 100.00

## (2) भृत्यारकरण और प्रशीति से भिन्न

(क) 50 टन की धमता तक के और उसे सम्मिलित करने हुये . . . . . 10.00

(ख) 50 टन की धमता से अधिक के भण्डारकरण के लिये . . . . . 20.00

[का० सं० 5/58/72-ई०पी० (ग्री०-२)]

आर० क० तलवार, मृक्ष सचिव

**S.O. 914.**—In exercise of the powers conferred by section 33 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), the Central Government hereby makes the following rules further to amend the Marine Products Export Development Authority Rules, 1972, namely:—

1. These rules may be called the Marine Products Export Development Authority (Amendment) Rules, 1974.

2. In sub-rule (2) of rule 33 of the Marine Products Export Development Authority Rules, 1972, in the Table, for item 2 and the entries relating thereto, the following item shall be substituted, namely:—

1	2
---	---

## "2 Storage

## (i) Chilled and Frozen

(a) For storage up to and including 50 tons capacity (both chilled and frozen) . . . . .	Rs. 50.00
(b) For storage above 50 tons capacity (both chilled and frozen) . . . . .	Rs. 100.00

## (ii) Other than Chilled and Frozen

(a) For storage up to and including 50 tons capacity . . . . .	Rs. 10.00
(b) For storage above 50 tons capacity . . . . .	Rs. 20.00

[File No. 5/58/72-EP (Agri II)]

R. K. TALWAR, Joint Secy.

## संचार मंत्रालय

(डाक-तार बोर्ड)

नई दिल्ली, 27 मार्च 1974

का० आ० 915.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के अण्ड III के पैग (क) के अनुमार डाक-तार महानिवेशक ने कोतमंगलम टेलीफोन केंद्र में दिनांक 1-5-74 से प्रमाणित दर प्रणली लागू करने का निश्चय किया है।

[सं० 5-15/74-पी०ग्र०बी०]

पी० सी० गुप्ता, सहायक महानिवेशक (पी०ग्र०बी०)

MINISTRY OF COMMUNICATIONS  
(P&T BOARD)

New Delhi, the 27th March, 1974

**S.O. 915.**—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627, dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1-5-1974 as the date on which the measured Rate system will be introduced in Kothanangalam Telephone exchange, Kerala Circle.

[No. 5-15/74-PHB]

P. C. Gupta

Assistant Director General (PHB)